

THE INTERNATIONAL

# Teamster

DEDICATED TO SERVICE

JUNE 1960



## First National Cartage Survey Completed



# The Teamsters Salute PHILADELPHIA

## *America's Cities*

Philadelphia, "The City of Brotherly Love," third-largest in the nation, capital of Colonial America, one-time capital of the United States, fourth-ranking manufacturing city, has been the scene of many memorable events in U. S. history.

It was the scene of the first and second Continental Congresses. It was here the Declaration of Independence was drafted and after the revolution was successful, here the U. S. Constitution was framed. William Penn received a land grant from King Charles II in 1681 and Philadelphia was chartered in 1701.

Independence Hall, where the Liberty Bell once rang and is now housed, was built between 1732 and 1741. Nearby is Carpenters' Hall, owned by the Company of Master Carpenters and used as a meeting place by the first Continental Congress. Other historical shrines include Ben Franklin's grave, Betsy Ross house and William Penn's home.

Philadelphia installed the first successful steam-pumping water plant in the U. S. It also had the first free library, the first mint, the nation's first bank, the world's first wire bridge. It has the nation's oldest theater and oldest art institution. It has been a medical-surgical center since early days and has 45 general and 36 special hospitals.

The leading industrial products are metals and metal products, textile, food products, and chemicals and petroleum products. In addition it is a busy port 88 miles from the ocean which ranks as the nation's second-largest.

The Philadelphia metropolitan area includes 148 incorporated cities, towns and boroughs plus many areas not incorporated in Pennsylvania and New Jersey. The residents of this area are served by approximately 83,000 Teamster members of 29 locals in Joint Council 53.

We take pleasure in saluting this city; busy in its present, historical in its past.

NO. 4 IN A SERIES





# THE INTERNATIONAL *Teamster* DEDICATED TO SERVICE

Official magazine of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, 25 Louisiana Ave., N. W., Washington 1, D. C.

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## The Price of Dissent

**"I** HAVE not and will never be a part of the sham and hypocrisy that permeates the ranks of the Democratic party in the South. And when I say this, I am talking about political leadership both state and national throughout the South.

"May the day be forthcoming, and I say to you with the strongest conviction of which I am capable that this day will be forthcoming, when we Democrats will nominate and elect Democrats, and will send scrambling those who use our party only as an expedient avenue to public office."

These are not my words. They are the words of a brilliant young Congressman from Georgia, Erwin Mitchell. However, they fully reflect my sentiments concerning the Southern Democratic political leadership.

I might point out that this courageous Congressman was the only member of the Georgia Congressional delegation who had sufficient guts to vote against the notorious Landrum-Griffin amendment, which was stampeded into law by a coalition of Southern Democrats voting with anti-labor Republicans.

Speaking to the Democratic Executive Committee in his district, he commented on the three years that he has been in Congress. "It has taught me many things," the Congressman said. "Among the foremost is that false, self-styled Democrats from the Southland do more harm to our region than any group of northern Democrats and Republicans could ever do.

"This small group of men and women, and thankfully, it is small and will continue to grow smaller, is one of the major obstacles in the path toward unprecedented economic growth, development, and prosperity in our region."

It is generally agreed that the South has vast industrial growth potential, but the 19th century leadership it sends to Congress forestalls the promise of that growth. Southern politicians have a false idea that as long as they can prevent the Teamsters and other segments of organized labor from organizing the un-

organized workers, they can pirate industry from Northern states by promising cheap, unorganized labor. I think that Congressman Mitchell has set the record straight, and if enough Southerners read his speech it could well accomplish wonders for the South as a whole.

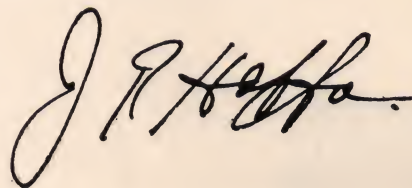
The Congressman added: "These political leaders who deem themselves the preservers of our way of life might well be called the destroyers of our future. These people through their negative approach, and with the help of a substantial portion of the Southern press, have sought to convey the impression that we in the South are the last bastion of freedom in our great republic. This we know to be untrue.

"These same thought moulders have developed the negative and defeatist attitude that the remainder of the nation stands aligned against the future growth and progress of the South. This we know to be untrue.

"Our fellow Americans regardless of where they come from stand ready to join with us for our mutual benefit if we would only let them. But the attitude of many of our political leaders closes the door to this prospect."

Continuing, Congressman Mitchell said: "Tradition is fine. No one is more proud of his heritage than I. No one loves Georgia and the Southland any more than I, but I am afraid that by and large our leadership has been guilty of too much tradition and not enough vision."

Congressman Mitchell is not going to seek reelection to Congress, which is a genuine loss to the nation. This perhaps is the price he must pay for dissent.







## Monitorship Case

# Court of Appeals Steps In

**T**HE U. S. Court of Appeals last month stepped into the Teamster-Monitor controversy in a move designed to give the union a fair hearing.

The Appeals Court ordered a delay to efforts by Monitor Chairman Martin F. O'Donoghue in the lower courts to get a court order removing James R. Hoffa as General President of the International Union.

O'Donoghue had charged President Hoffa with violation of the consent decree under which the Monitorship was established.

Hoffa in response accused O'Donoghue of bias and prejudice and filed suit asking O'Donoghue's removal as Monitor chairman on the grounds that his continued tenure in office would violate the canons of judicial and legal ethics (see May *Teamster*).

In a later suit, Hoffa charged that O'Donoghue was part of a conspiracy with the Kennedy boys—Jack and Bobby—in an effort to “seize and control” the union (see page 5).

O'Donoghue and Godfrey P. Schmidt, original attorney for the so-called “13 rank-and-filers” whose lawsuit brought about the Monitorship,

have made no secret of their desire to “get rid of Hoffa.”

A report was filed in U. S. District Court charging that Hoffa had violated the consent decree in the so-called “Sun Valley” land venture in Florida. Hoffa denied any wrongdoing in a suit filed in District Court (an explanation of the entire “Sun Valley”

### Special Board Session

The picture above shows the Teamsters' General Executive Board in special session in Washington, D. C. early in May. The special meeting was called by General President Hoffa for the purpose of discussing recent developments relating to the Board of Monitors.

A two-day round-the-clock session found the Board in unanimous agreement on Monitor issues. The Board also passed a resolution of full confidence in President Hoffa and General Secretary - Treasurer John F. English.

matter was printed in the May *Teamster*). Nevertheless, the Monitors sought the ouster of the General President on these charges, and trial was scheduled to begin in late April in the court of U. S. Judge F. Dickinson Letts, who has had jurisdiction over the Monitorship since its inception.

However, President Hoffa filed an affidavit seeking the disqualification of Judge Letts on the basis that the Judge “has a personal bias and prejudice against (Hoffa) and a personal bias and prejudice in favor of (O'Donoghue and Schmidt).”

At the outset of the trial, Judge Letts did disqualify himself and the ouster proceedings were assigned to the court of U. S. Judge Joseph R. Jackson.

Before the proceedings could begin in the lower court, however, the U. S. Court of Appeals, on petition by union attorneys, granted a temporary stay until it could hear arguments on the voluminous Teamster-Monitor appeals currently before the higher court.

The Appeals Court set a hearing date of June 7 and 8 on all aspects of the case currently before it.



# Courts Act on Monitor Mess

## McShane Temporarily Out

**T**ERENCE McShane, 32-year old G-Man who quit a \$10,000-a-year job with the F.B.I. to take a \$25 an hour job as monitor, found himself out in the cold last month after the U. S. Court of Appeals temporarily restored Lawrence Smith as Monitor for the "original 13."

McShane, protege of Godfrey P. Schmidt, brought no legal training to the Monitor post. His only qualification was a background of investigating the Teamsters for the Justice Department, and service as a witness against President James R. Hoffa in the New York trial in which the General President was acquitted of alleged wiretap charges.

Smith had been fired summarily by Judge F. Dickinson Letts after Chairman Martin F. O'Donoghue and Schmidt charged that Smith had begun to vote against the Chairman.

The Appeals Court ruling, surprisingly, came directly from the bench, and constituted a rebuff of Godfrey Schmidt's argument that Judge Letts did not have to give any reason for firing Smith.

The Court repeatedly corrected Schmidt when he referred to himself as "representing all of the members of this union," reminding him that he merely represented six of the original 13 plaintiffs in the case.

Confusion within the ranks of Schmidt's "original 13" has reached comic opera proportions.

John Cunningham, who led the original 13, long ago disassociated himself from Schmidt, who likes to refer to himself as "master of the case."

Schmidt himself, original Monitor for the 13, resigned that post after the U. S. Court of Appeals, finding him to be an attorney for employers dealing with the union, ruled that he was in a conflict-of-interest position.

Schmidt then nominated Lawrence Smith as his successor. Smith was a member of Schmidt's law firm.

In the ensuing months, a falling-out developed among the 13 — by now reduced to 12 — reportedly over the Schmidt-O'Donoghue emphasis on "getting rid of Hoffa."

A majority of the 12 voted to get rid of Schmidt as their attorney. Not to be outdone, Schmidt succeeded in remaining as "attorney of record" for all 12 and, despite his own doubtful status, was the one who nominated McShane for the Monitorship after Judge Letts fired Smith.

Last month in the U. S. Appeals Court, six of the 12 asked the court for permission to utilize the services of their own attorney, Robert Selagi, and confine Schmidt to representation of the remaining six. Schmidt, who submitted a bill for \$210,000 for his services in the original lawsuit which led to the Monitorship, refused to step aside voluntarily.

This issue, and the issue of who is really the plaintiff's Monitor, were taken under advisement by the Court.

## Bufalino Named by Letts

**W**ILLIAM E. Bufalino, president of Teamster Local 985, was sworn in last month by Federal Judge F. Dickinson Letts as a member of the court-appointed Board of Monitors.

Monitor Bufalino immediately announced that he would press for an early Teamster Convention, not later than September or October of this year.

Bufalino, 42, is the son of Louise and Salvatore Bufalino. The Bufalino family migrated from Italy at the turn of the century. His mother died when he was five years old and the untimely death of his father followed some 13 years later.

He was educated in both parochial and public schools, graduating with honors from Pittston High School in 1936. He studied for the priesthood for two years at St. Thomas of Scranton, Pa., later transferring into pre-law courses when he majored in languages, including French, Greek, Italian and Latin.

He won his Bachelor of Arts degree from the University of Scranton and his Bachelor of Laws degree from the Dickinson School of Law at Carlisle, Pa. in 1942.

His military career during World War II saw him rise from the rank of private to master sergeant. He was selected as "Soldier of the Week" for outstanding accomplishments while he was stationed at Brookley Field near Mobile, Ala. Later he was sent to Officer Candidate School and was graduated June 24, 1944. He served as a Trial Judge Advocate of the General and Special Courts Martial and as Legal Officer at Romulus Army Air Field in Romulus, Mich.

After a distinguished career in the service of his country, Bufalino was honorably discharged from active service February 25, 1946.

He was admitted to practice law in the state of Pennsylvania in 1942 and before the Supreme Court of the United States September 20, 1950.

For the past 12 years he has been actively engaged in the American trade union movement and heads up Local 985 in Detroit, Mich.

### Appreciation

Following his appointment as a member of the Teamsters' Board of Monitors, Bufalino expressed his appreciation to Judge Letts for the confidence the Judge placed in him and said that he would begin immediately to get the Board of Monitors "off dead center, and back to constructive work."

He said that the Monitors should clean up the backlog of projects and prepare the way for a convention.

### 'Chairman Should Quit'

The Teamsters' new monitor told an impromptu press conference that the charges brought by Monitor Chairman O'Donoghue against Teamster President Hoffa should be dismissed.

The new Monitor, in reply to a question, said that O'Donoghue should disqualify himself from serving as impartial chairman of the Board of Monitors.

He said that O'Donoghue's efforts to remove President Hoffa from office are based upon charges that are "clearly without merit." He expressed the opinion that O'Donoghue has tried to exceed his authority under the consent decree.





## Master Contract Is Goal

# National Cartage Survey Completed

**T**HE General Executive Board, meeting in special session in Washington, D. C. last month, heard and applauded the completion of a pre-announced National Local Cartage Freight Study.

The study, termed by General President Hoffa as a "companion survey" to the recent National Over-the-Road Study, represents a comprehensive research project prepared and published under the direction of Vice President Thomas Flynn, Director of the National Over-the-Road Division.

As in the National Over-the-Road Study, the Central States agreement covering local cartage was singled out for the purpose of basic comparison. The Central States cartage contract, negotiated by President Hoffa, was chosen by the Study because it has been in effect for many years and because it is the most complete agreement, covering a larger geographical area than any other Teamster cartage contract in the United States.

Like its companion study, the National Local Cartage Freight survey dwells upon such important uniform

areas as Wages, Health and Welfare, Pensions, Vacations, Sick Leave, Split Shifts, Picket Lines, "Piggy-back and Barge, Hours, Seniority, Overtime, Protection of Rights and a hundred other proposed and present cartage provisions.

Commenting on the Study, President Hoffa pointed out "that one national master cartage agreement is on firm ground. The approach to contract provision uniformity is merely keeping pace with the industry itself which has expanded and often changed its operational course to meet new problems raised by the growth of mass markets."

"We find, too," Hoffa declared, "that no freight problem exists in one part of the country which does not exist in another part of the nation. Since we are going to continue to have these problems, both labor and management should solve them uniformly. The economic health of our membership as well as the stability of the industry with which we bargain collectively calls for a single national master uniform freight agreement in

both our over-the-road and local cartage contracts."

Hoffa said that an agreement of this type "is the only one which will enable us to standardize conditions and practices permitting Teamster members in all parts of the country to receive the just benefits that only a union agreement can bring."

Joining with President Hoffa in endorsement of the two studies was General Secretary Treasurer John F. English.

The General Secretary said that both the National Over-the-Road and the National Local Cartage Freight surveys have prepared the way to a better understanding of common problems brought about by the steady growth of freight operations.

"Years ago," English explained, "freight operations were limited in scope because of small equipment and limited highways. Today, things have changed. With coast-to-coast deliveries scheduled in less than a week, plus improved super-highways, freeways and secondary road improvements, freight volume has jumped heavily on a local and over-the-road basis. It





Vice Presidents O'Brien, Flynn and Tevis hear National Cartage Survey report during special session of the General Executive Board in Washington, D. C. Vice President Flynn directed the study which suggests one master cartage agreement for all contracts negotiated by the International Union throughout the U.S.

is therefore necessary that we keep in step with this progress. I believe that one national over-the-road master uniform and local cartage contract will keep us in step. It will also contribute greatly to the goals we have striven for over the past fifty years—the constant progress of wages, hours and conditions of employment for all Teamsters.”

Vice President Flynn, who directed both studies, had high praise for all of the Conferences, Joint Councils and local unions which made the surveys possible.

“While it is not possible to thank personally all those who contributed their time and efforts in completing these studies,” Flynn said, “everyone involved should know that their efforts will be most valuable in assisting future Teamster programming. Indeed, our combined work will serve us well in achieving our final goal—a single master national over-the-road and local cartage agreement.

Participating in the local cartage study were the Central States Area Local Cartage Agreement, covering the states of Ill., Ind., Iowa, Kan., Mich., Mo., Neb., N. D., Ohio, S. D., Wisc. and Louisville, Ky. The Southern Conference Local Freight Forwarding, Pickup & Delivery-Agreement, Southeast Area in the states of

Ala., Fla., Ga., Miss., Tenn., and Ky., except Louisville. The Southern Conference Local Freight Forwarding, Pickup & Delivery Agreement in the states of Ark., La., Okla., and Texas except El Paso.

Teamster Joint Councils included Joint Council 40, Joint Council 28, Joint Council 38, Joint Council 42 and Joint Council 37.

Participating Local Unions were Locals 55, 61, 71, 391, 509, 171, 539, 592, 822, 175, 505, 789, 913, 249, 30, 110, 261, 397, 453, 491, 538, 564, 585, 872, 963, 992, 639, 557, 229, 401, 429, 430, 764, 771, 773, 776, 107, 312, 331, 384, 470, 676, 701, 469, 37, 445, 560, 617, 641, 816, 863, 282, 478, 707, 807, 824, and 65.

Other Local Unions were Locals 118, 294, 317, 375, 506, 529, 648, 649, 687, 693, 25, 42, 49, 59, 170, 191, 251, 404, 437, 443, 477, 493, 526, 653, 671, 677, 340, 633, 597, 174, 38, 58, 148, 231, 252, 313, 378, 411, 501, 524, 556, 589, 672, 690, 699, 741, 910, 87, 94, 137, 150, 386, 431, 439, 533, 684, 208, 235, 357, 396, 467, 542, 578, 692, 871, 982, 492, 222, 483, 976, 983, 307, 53, 112, 190, 412, 448, 593, 666, 16, 17, 146, 307, 70, 502, 104, 310, 941, 57, 81, 321, 324, 569, 689, 883, 900, 911, 962, and 631.

## Hoffa Sues

**L**ITTLE Bobby Kennedy, who has made political hay the past three years out of slandering and vilifying Teamsters Union leaders, was called to an accounting late last month by Teamster President James R. Hoffa.

Hoffa filed a \$2,500,000 libel suit against Kennedy, Jack Paar, and the National Broadcasting Co. for defamatory remarks made by Kennedy on Paar's "Tonight" television show. Kennedy was not protected by Congressional immunity as he was during his years as chief counsel for the union-busting McClellan Committee.

The 31-count complaint asserted that Hoffa "demands a trial by jury on all of the issues herein."

The libel and slander suit declared that NBC and Paar permitted Kennedy, in concert with Paar, "to maliciously launch a vicious, calculated and calloused attack upon the personal reputation" of Hoffa.

"As a result of the plot, scheme, and unholy alliance engaged in" between Kennedy, Paar, NBC, and others, the suit alleges, "there has been an endless flow of press releases damaging to Hoffa . . . who has been the target of a series of vicious attacks engineered by the defendant, Kennedy, and others . . . and intended, designed, calculated and charted to hold Hoffa up to public contempt, scorn, aversion, ridicule and hate."

Another complaint charges that Kennedy "has criticized Hoffa for employing persons with criminal records while he, Kennedy himself, sanctioned, employed and accepted the fruits of labor of persons with criminal records and of wiretap experts."

Referring to Kennedy's infamous record as counsel for the McClellan Committee, the libel suit says that Kennedy was operating "under the guise of affecting a worthy legislative function, but in truth and fact having no interest in the working man nor any regard for the liberty or constitutional rights or safeguards of the individuals appearing before the McClellan Committee."

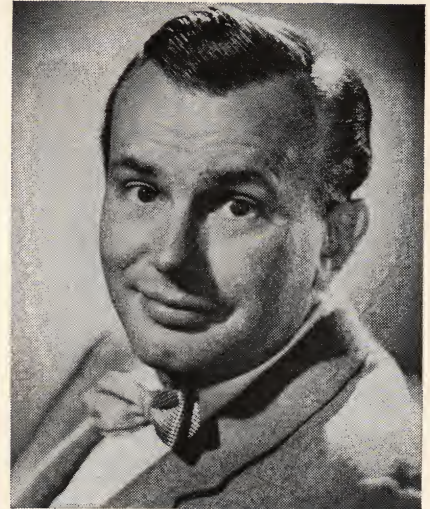
Kennedy "used his position with the Committee as a means for personal gains, being careless with the truth



# Kennedy for Libel and Slander



'Counsel' Kennedy



'Comedian' Paar

doing and stumbling through unfinished sentences, with overtones of impropriety, to create laughter and thereby degrading, defaming and humiliating the plaintiff."

The Paar Show of July 22, 1959, is cited specifically, along with the "Meet The Press" show of July 26 over NBC, on which Kennedy "pyramided his libels and slanders."

It also cites the Paar show of March 8, 1960, on which Kennedy and Paar did again "pyramid their libels and slanders against Hoffa, toying with his name, assaulting his character and reputation and heaping public animosity upon him and again mocking, branding and stigmatizing the plaintiff as being unworthy of holding office or membership in the Teamsters International Union."

The complaint points out that "such nationwide and multi-state telecasts where Kennedy appeared in person were seen by millions of viewers throughout the U. S., were transmitted over the airwaves and world-wide news outlets, causing such libels to be printed in newspapers and periodicals throughout the U. S., and were given wide publication and circulation."

By Kennedy's "unlawful conduct,

disposition and demeanor and his fraudulent and deceptive and malicious statements," he "participated in a quasi-legislative trial as he played his role in the McClellan Committee hearings, using the plaintiff as one of his political stepping stones as he sought publicity to help his older brother," Senator John Kennedy, who aspires to be President of the U. S.

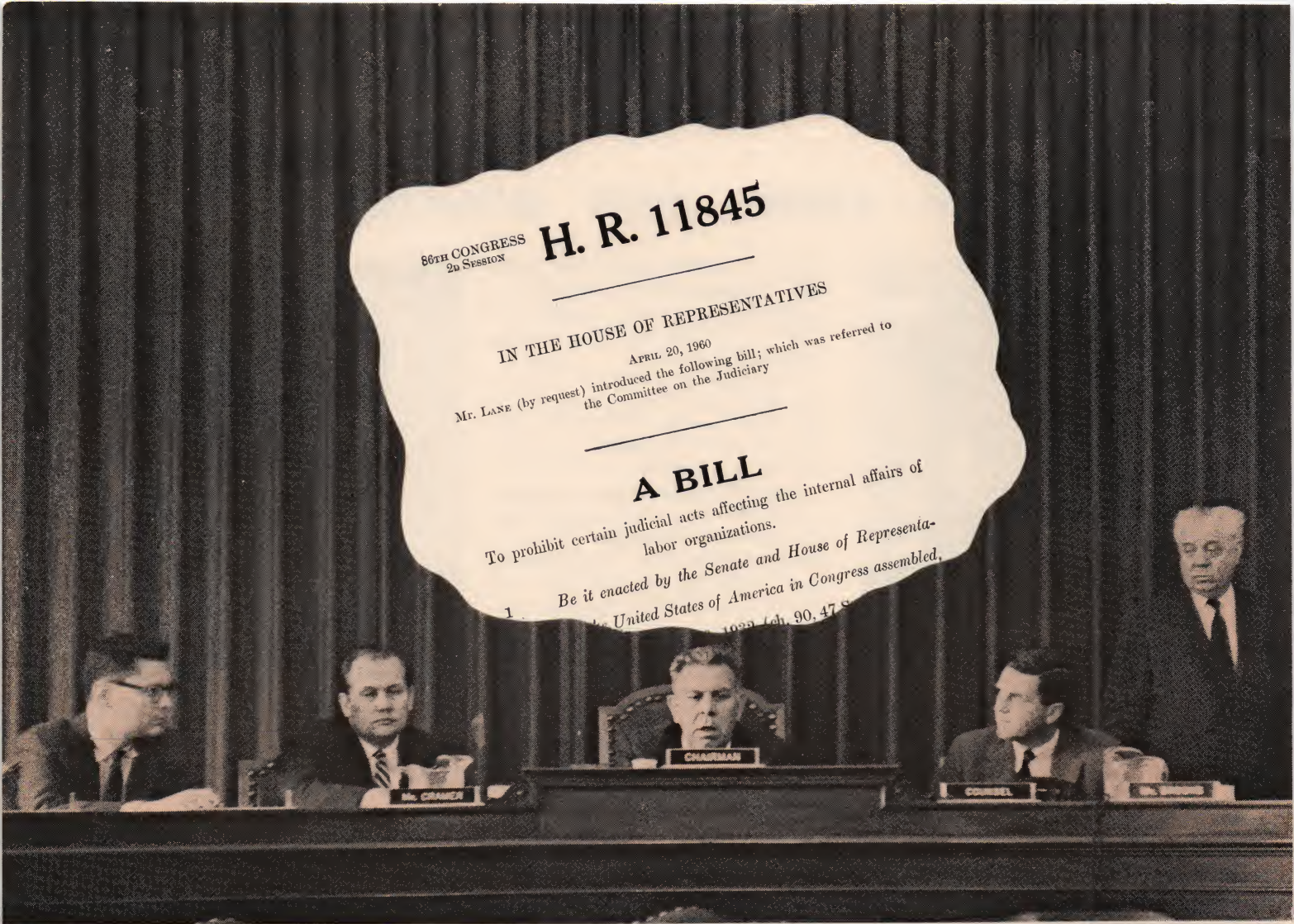
and injecting into the record unfounded statements which he could thereafter quote in his book, which he then intended to write, to make political profit for himself and his older brother out of the assassination of the character and the destruction of the reputation of the plaintiff, James R. Hoffa," the complaint charges.

The suit, filed in U. S. District Court in Detroit, Mich., alleges that Kennedy achieved his "ill-conceived goal" in this fashion: he "worked with, rehearsed and coached witnesses prior to their appearances before the McClellan Committee, and injected hearsay and opinion evidence into the record; permitted conjecture and conclusions from the witnesses; deprived the plaintiff of an opportunity to interrogate or examine the witnesses, whose unsavory backgrounds in many instances should have alerted Kennedy that he should proceed with caution; nevertheless, Kennedy did carelessly and maliciously proceed to interrogate and accept their statements as conclusive proof without searching for the truth."

Paar, the suit charges, "saturated the public mind and attempted to brainwash millions of viewers of the telecasts over the NBC television network and its affiliates everywhere throughout the U. S.; toyed with the name of the plaintiff, James R. Hoffa, alleging, inferring and implying wrong-







## Would Safeguard 'Internal Affairs'

### Hearings Held on Monitor Bill

**M**EMBERS of the House Judiciary Committee, conducting hearings last month on legislation to prevent the Federal courts and court-appointed monitors from running the private affairs of labor unions, heard witness after witness over a two-day period testify to the sorry mess that has been created for the International Brotherhood of Teamsters by Federal court-appointed monitors.

The proposed law before the Judiciary Committee would make it illegal for any Federal court to attempt to appoint monitors "to manage or administer the affairs of any labor organization."

The proposed law was introduced by six different Congressmen, and has widespread support from members of Congress, rank and file Teamster

members, many of the nation's outstanding lawyers, college and university law school professors, and officials of international unions affiliated with the AFL-CIO.

Both Democratic and Republican members of Congress testified in favor of the bill. Support for the bill was so overwhelming that some Committee members complained that the hearing was rigged in favor of Teamsters Union. However, the counsel for the group told newsmen that he had invited all members of the defunct McClellan Committee, including Bobbie Kennedy, to testify on the merits of the bill.

The fact that there was no opposition to the bill is expected to delay any action on the bill until opponents to the bill can be rounded up to tes-

tify. The opposition is expected to include Senator John McClellan, Bobbie Kennedy, Monitor Chairman Martin O'Donoghue and other anti-Teamster and anti-labor witnesses.

Despite the merits of the bill, the preponderance of testimony in favor of the bill, and the clearly established fact the O'Donoghue-dominated Board of Monitors have exceeded their authority, the Judiciary Committee members are expected to vote against taking positive action on the bill for the present time.

Congressman Edwin Willis of Louisiana, chairman of the Judiciary group, indicated repeatedly throughout the hearings that any action by the group would tend to exert influence on the many legal questions pending



before the Federal court and the U. S. Court of Appeals.

Sidney Zagri, legislative counsel for the Teamsters Union, testified that the bill would not have the effect of abolishing the court-appointed Teamster Monitors.

He pointed out that the bill was directed at court-appointed officials who attempted "to manage or administer the affairs" of labor unions. This, he said, is not the case with the Teamsters Union because the consent decree establishing the Teamster Monitors provides only advisory powers for the Monitors. This has been emphasized by the U. S. Court of Appeals, Zagri said, reading from the Appeals Court decision.

Six AFL-CIO unions testified in favor of the bill, despite the opposition of AFL-CIO President George Meany, who addressed a letter to the Judiciary group expressing the "opposition of the AFL-CIO." Spectators at the hearings were asking each other if Meany actually speaks for the AFL-CIO membership. Several other AFL-CIO unions indicated their support for the bill, and were prepared to testify, but the pressure of Meany's opposition forced them to withdraw their public endorsement.

National Maritime Union President Joseph Curran gave his unqualified support to the bill. Curran, who is an AFL-CIO Vice President and a member of the AFL-CIO executive council, indicated that Meany's opposition was not authorized by the AFL-CIO executive council.

In his testimony Curran said, "The existence of a free labor movement is one of the main distinctions between the democratic way of life and that of totalitarian countries. I would say it is the main distinction because in industrial nations like ours, it has been the free labor movement which traditionally has been the strongest and most effective defender of all the institutions which constitute a democracy."

The Committee members sat in attentive silence as Curran detailed the characteristics of a free labor movement.

"A free labor movement," he said, "is one in which the members of trade unions maintain control of their organizations. It is one in which union members elect the officials of their union and control of their organizations. It is one in which union members elect the officials of their

## MONITOR COSTS

(Projected to December 30, 1960)

*The report below was submitted to the House Committee by certified public accountant Leo McGinley to show costs of Monitors by the end of 1960.*

### DIRECT COSTS OF MONITORS, TO AND ON THEIR BEHALF

#### Expended

Fees .....	\$243,456.25	
Expenses Reimbursed prior to Revolving Fund .....	11,342.34	
Revolving Fund Reimbursements .....	142,378.82	
Airline Deposit .....	425.00	\$397,602.41

#### Projected—Balance 1960

Fees .....	115,610.60	
Revolving Fund Reimbursements .....	100,572.50	216,183.10 \$ 613,785.51

### COST OF MONITORSHIP TO INTERNATIONAL

#### Expended

Accounting .....	33,596.51	
Elections—Trusted Locals .....	6,000.00	
Legal Fees and Expenses ..	283,615.27	
Overtime, International Payroll .....	10,388.15	
Printing .....	118,619.42	452,219.35

#### Projected—Balance 1960

Legal Fees of Monitors Lawyers .....	64,000.00	
Elections—Trusted Locals ..	528,154.00	
Legal Fees, Expenses and other expenses .....	150,739.74	742,893.74 1,195,113.09

### COST OF MONITORSHIP TO AFFILIATES

#### Expended

Local Unions and Joint Councils .....	358,262.80
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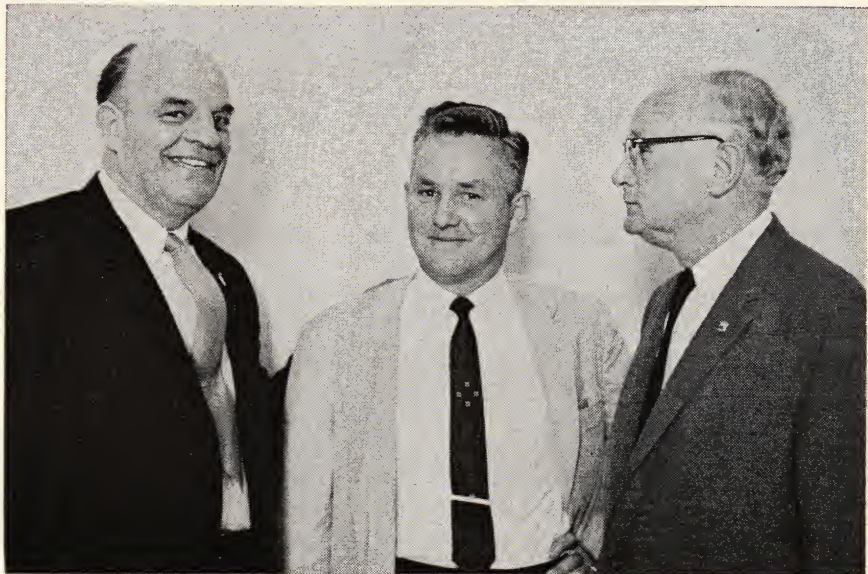
TOTAL ..... \$2,167,161.40

#### Add:

Contested Legal Fees ..... 210,000.00

Total ..... \$2,377,161.40

## AFL-CIO Unions Back Bill



From left are Joseph Curran, President of the National Maritime Union; Henry Bream, Secretary-Treasurer of the Flight Engineers; and Congressman Elmer Holland of Pennsylvania, after testifying. Six top AFL-CIO officials and both Democratic and Republican members of Congress took firm stand against monitorships of labor organizations and court interference with internal affairs of unions.



union and control its policies and activities through procedures which they have themselves established. . . ."

Curran pointed out that the court-appointed Monitors, under O'Donoghue's iron rule, violate the rights of 1,600,000 Teamster members. "As long as any union can be so violated, it becomes a matter of concern to all unions," he declared, George Meany not, withstanding.

Plato Papps, general counsel for the International Association of Machin-

ists, assured the committee that Al Hayes, president of the Machinists Union, was in full agreement with the statement of Curran. Hayes is an AFL-CIO Vice President, executive council member, and chairman of the AFL-CIO Ethical Practices Committee.

Papps said, in effect, that the bill before the committee was too weak. He said that he was opposed to a section of the bill which, while outlawing monitorships, would allow Federal

courts to appoint receivers to protect union assets pending union elections.

He said that the Kennedy-Landrum-Griffin law adequately protected the interests of the rank and file union membership from violation by corrupt union officials. "The Department of Labor and the FBI have a memorandum of understanding" under which violations of the anti-labor Kennedy-Landrum-Griffin law are investigated by the FBI, he said.

Leon Schachter, vice president of

## Testimony of Former Monitor Daniel B. Maher

"I OFFERED ON AT LEAST SIX OCCASIONS to serve without compensation if the other Members would do likewise and speed the Monitorship to a conclusion. These offers were made to the Court and to the Board. The offer was not agreeable to the other Members.

"The majority of the Board believes it has wide ranging investigatory power; including the authority to initiate investigations, to require members of the union to appear before it for inquisition, and to entertain complaints without requiring the aggrieved party to exhaust his remedies within the union's Constitution.



Maher

"The Chairman of the Board, Martin O'Donoghue, has also expressed opinions amounting to prejudgments with respect to various members of the International on the basis of *ex parte* and unsworn testimony that he has in his possession without giving the (Teamster) official an opportunity to state his side of the story.

"On several occasions I endeavored to have the Chairman take action with respect to general matters pending before the Board, particularly the back-log of cases that have accumulated in the Board files. On each occasion when it was sought to expedite the disposition of pending cases the Chairman stated that the Board would proceed on these matters when we 'GOT RID OF HOFFA.' He also stated that we would have to 'GET RID OF' various members of the General Executive Board and other persons in key positions in the various Joint Councils and Locals of the International Brotherhood of Teamsters.

"It. the Board of Monitors, has become successively, first a three-man grand jury, and now a one-man grand jury, committed in advance to an anti-defendant program operating with virtually unlimited funds and paid for by its victims.

"If there has been any foot-dragging or lack of cooperation in this case, as claimed by the Chairman, it

may be laid largely at the door of the Board of Monitors.

"The Board was to meet with the General President each Thursday at 10:00 A.M. or such time as mutually agreeable. There have been not more than eight meetings of the Board with the General President in 13 months. The Board's own sessions have averaged less than three hours per week over a period of 13 months.

"The Board met with the General Executive Board of the International on *one* occasion in 13 months. This meeting occurred over the objection of the Chairman and only after I had interceded with the Court. There are at least 30 requests from the General President requesting meetings with the Board. His efforts have been unavailing.

"Lack of cooperation in the Chairman's lexicon means an unwillingness to bow before his will. Obstruction means to him an unwillingness to abdicate an honest judgment. Conscientious disagreement with the Chairman's viewpoint is equated by him with some sinister purpose.

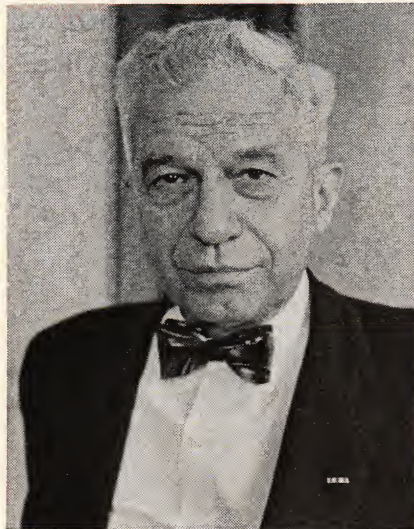
"Upon the basis of more than one year's tenure on the Board, reluctantly, but impelled by candor, I say that this Monitorship will never function effectively, unless and until there is a chairman who is impartial in fact as well as in title; who is willing to work consistently and continually to effectuate the basic purposes of the Decree, without crusading deviations; who is willing to consult with the defendants; who believes that honest disagreement with his viewpoint need not be because of sinister motivation; who is willing to act as a member of a three-man board, and who will not usurp the functions of the entire Board; who believes that assertion of a legal right can be made in good faith and such action does not, per se, constitute willful obstruction; who will accept the clear mandates of the Court of Appeals and not consider them as idle words to be evaded or avoided when in conflict with his viewpoint; who will assist in perfecting general policies which are not subject to daily vacillations; and who does not act as if he conceived and perfected the virtue of personal integrity.

"Unless and until this is done this Monitorship will continue on for years; the Courts will never be able to conclude the case; and the administration of the Board itself will continue as it has for the past two years—in a state of absolute chaos."

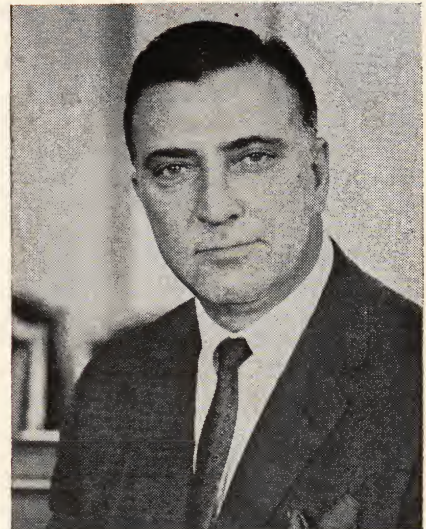




Congressman Dent



Congressman Bray



Machinists' Counsel Papps

the Amalgamated Meat Cutters and Butchers, testified that the "establishment of a monitorship or receivership over unions violates long recognized principles of both American democracy and American trade unionism."

"It has been the boast of unionists and of all Americans, that our labor organizations, unlike those of other countries, are completely independent . . . of employers, of political parties and of the government," Schachter declared.

Other AFL-CIO union officials who testified included: Hank Bream, secretary-treasurer of the Flight Engineers; Alford Rota, first vice president of the Upholsterers' International Union; and Isidore Katz, general counsel for the United Textile Workers.

The bill also received strong support from both Democrats and Republicans. Congressmen John Dent and Elmer Holland of Pennsylvania, Congressman William Bray of Indiana, Congressman Carroll Reece of Tennessee, and Congressmen Thomas Lane of Massachusetts and James Roosevelt of California all testified in favor of the bill.

Congressman Dent criticized Monitor Chairman O'Donoghue without identifying him by name, saying that "one Monitor" has repeatedly stated that the Board of Monitors "must eliminate a certain individual (Teamster President Hoffa) before they will allow an election of the rank and file."

Dent reprimanded O'Donoghue, declaring, "We can't as men representing all of the various segments of our

society ever take the position that the elimination or the addition of an individual from or to a position shall be the criteria upon which we act in the public good.

" . . . If tomorrow we say that you can't have an election because we don't like this individual in a labor union, then isn't it just as possible that the day after tomorrow we may say that you can't hold an election in your Congressional district because we don't like the man you have in office?"

Congressman Bray told the committee that an "unconscionable time has gone by" during which the Teamsters Union has been denied a convention and an election by the Federal court and the court-appointed Monitors. He said that Teamsters should not have to remain in the hands of the court-appointed Monitors forever, pointing out that there was no time limit on how long the monitorship would last.

Congressman Holland described the monitorship as similar to the "payola" situation existing with the radio and television disc jockeys. "When one studies the expenditures for the monitors and the fees paid to the lawyers and other personnel . . . one can only feel that we now have a 'moneyola' run by the Courts for the benefit of certain individuals."

He added: "Since this money is paid from the dues of the rank and file members, this looks like a well developed plan to break the local treasuries of the unions which will be affected."

Two noted law professors testified in favor of the bill. William Goffen,

professor at City College of New York, and Dexter Deloney, professor at the University of Florida, were invited by the committee and appeared to testify.

Goffen, who recently wrote a widely-quoted article in *Nation Magazine* on the Teamsters and the monitors, testified: "The Court and the majority of the monitors have succeeded in depriving the 1,600,000 members of the union of the right to an election of their officers."

"The monitorship persists although the Landrum-Griffin act itself provides unions with a Congressionally approved procedure for the election and removal of officers."

Goffen said that the "monitorship has obviously become a source of Court patronage." He urged Congress to act favorably on the bill before the Courts attempt to exercise "control over the operation of corporations, partnerships and all manner of associations of individuals for every manner of proper business, social or economic. . . ."

Deloney expressed his opposition to court imposed monitorships in general, and suggested that Congress intended the Kennedy-Landrum-Griffin bill to insure the democratic operation of labor unions rather than the Federal courts through appointed monitors.

The Teamsters Union's Zagri wrapped up the case presented in favor of the bill. He pointed out that the bill was not designed to relieve the Teamsters Union "from the court-appointed monitors."



He said that the bill would have no effect on the Teamsters and the monitor mess, other than to curb the abuses of power by Monitor Chairman O'Donoghue.

Zagri said that the Teamsters never agreed to give the monitors the authority to administer or supervise the affairs of the Union. Rather, he said, the Teamsters agreed that the monitors would have advisory and recommendatory authority only. This was upheld by the Court of Appeals.

The problem that has been created, Zagri said, is that the Monitor Chairman O'Donoghue has attempted to usurp authority from the officers of the Teamsters Union, which would in effect make him the General President.

He summarized the monitor mess this way:

"You have the Congress enacting a



IBT's Sidney Zagri

national policy saying the rank and file shall make the final determination in the election and removal of officers, and then you have a Federal court taking an opposite policy saying that

a judge shall make this decision. When this occurs, I say that Congress is faced with the responsibility of clarifying the Congressional intent."

In his prepared testimony, Zagri added: "... Although the protections afforded by the Kennedy-Landrum-Griffin bill themselves guarantee that a fairly and honestly conducted convention and election may now be held and that officers as elected will fairly reflect the democratic choice of the membership, a new convention is being blocked in order to perpetuate judicial control over the union.

"Since the monitorship will terminate only after a new election of officers, the end of the case is nowhere in sight. The court has become embroiled in international union controversies and its very impartiality has been publicly questioned," he charged.

## Testimony of Former Monitor L. N. D. Wells, Jr.

"COURTS ARE ESTABLISHED to adjudicate—not to administer or perform executive functions. Quite aside from the court congestion—already a problem—courts are not equipped to run unions.

"Court operation of unions has yet another adverse effect on the administration of justice. It inevitably leads to loss of public confidence in the courts. For if the court administration is sympathetic to those who are the elected officers, yet are in public disfavor, the court and its officers are viewed 'soft' and 'fearful.'



Wells

"Conversely, an anti-union administration effort is viewed by union adherents as an effort to 'break the union.' Perhaps either attitude is unjustified—yet it is very real—and is the inevitable consequence of the court having to both make and enforce the rules.

"Those who initially provided for a division of legislative, judicial, and executive powers were wise. No government body, whether judicial or administrative, should properly both make the rules and adjudicate controversies arising under the rules. As is apparent from the lengthy reports of the Monitors on file with the Court (July 31, 1958 and March 1959), the difficulties in effective operation of the Monitorship have inevitably arisen from situations where Monitors attempted to improvise rules of union conduct.

"Such rules should be provided either (and preferably) by the union members themselves—or by specific

legislation by the Congress. No authority—judicial or administrative—should be empowered to improvise rules to meet the occasion. Quite aside from the fact that such improvisation does not work, is the inevitable tendency for political pressure to be sought to be applied to the administration of the Court's officers.

"Thus, while I was a Monitor, representatives of the (McClellan) Committee frequently sought Monitor action with respect to matters which members or staff of the (McClellan) committee thought appropriate. Such intrusion into the affairs of the court with respect to pending litigation, is, in my view, the very antithesis of the traditional concept of separation of powers.

"Courts should be limited to the Reporting and Disclosure Act procedures—and not permitted to supervise, manage, or administer the affairs of any labor organization.

"A single experience as reported in Monitor minutes should serve to demonstrate the wisdom of such course. In September, 1958, the Monitor majority issued telegraphic notice to Teamster officials administering the New York State freight contract, prohibiting them from putting a new contract in effect and setting a hearing in Washington to determine whether the contract had been properly authorized. The trucking industry in this area was thrown into an uproar. The Monitors were besieged by employer telegrams of protest advising the Monitor Board that suspension of the contract would cause work stoppages and loss of millions of dollars and disruption of freight operations.

"When a Monitor hearing was subsequently conducted, it was quite clear, and unanimously held by the Monitors, that the contract had been properly authorized and negotiated and no basis for Monitor intrusion had ever existed. This is but a single instance of the chaos and confusion sure to result if court officers administer union affairs."



## No Basis for Charges

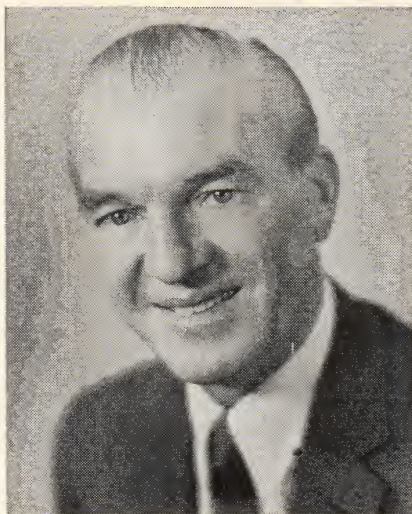
# Vice President O'Rourke Vindicated

**J**OHAN J. O'Rourke, Sixth Vice President of the International Brotherhood of Teamsters and President of Teamsters Joint Council No. 16, has been completely vindicated of the charges contained in an indictment returned against him and fourteen others in the County Court of Nassau County, State of New York. The indictment, returned on May 28, 1959, came to trial on February 1, 1960, and after almost three months of trial, the County Court, on April 28, 1960, directed a verdict of acquittal in favor of O'Rourke and dismissed the indictment against him. The basis of the decision was that the prosecution had failed to prove a case against O'Rourke, with the result that the case could not be submitted to the jury.

The indictment constituted an attack on the validity of the organizational activities of Teamster Local No. 266 in the game machine and jukebox field in the Metropolitan New York area. O'Rourke was not an officer or member of that Local. His only connection with it was that it was one of the 59 Teamster Locals comprising Joint Council No. 16, of which O'Rourke is President.

The indictment alleged that the officers of Local 266 had engaged in an unlawful conspiracy with certain others to restrain the freedom of activity of game machine and jukebox operators in the placement of such machines in restaurants, taverns and bars. They were further charged with the crimes of extortion, attempted extortion, and coercion, predicated for the most part on their alleged use of picketing and threats of picketing to compel self-employed owner-operators to join Local 266 and to pay the dues and certain assessments incident to membership therein.

The prosecution attempted to involve O'Rourke in the alleged conspiracy on the theory that he had aided and abetted the other defendants. It was charged that O'Rourke had helped Local 266 obtain an amendment of its Teamster charter so as to give it jurisdiction in the amusement machine field, and that he had further helped make the Local's picketing activities effective. The evidence showed, however, that O'Rourke's acts were performed in the normal dis-



Vice President O'Rourke

charge of his duties as Joint Council President, and that the procedure followed with respect to Local 266 was no different than that followed with respect to other member Locals of the Council.

The case is of far-reaching significance, since one of the theories suggested in the prosecution was that O'Rourke could be held responsible, by virtue of his office as Joint Council President, for the actions of officers of Local Unions affiliated with the Council. Acceptance of that theory, however, would not only have resulted in overturning basic doctrines of the criminal law, but would also have had a serious impact on the freedom of action of anyone in a position of authority in a large organization, whether in the labor union field or otherwise.

The County Court did not adopt that theory. Instead, the Court, though writing no opinion, evidently applied the well settled rule that before a person may be held criminally responsible for the allegedly unlawful activities of others, it must be proved that he actively and knowingly participated therein with criminal intent. Under this criteria, the Court held there was no case against O'Rourke.

## Big Business Ignores K-L-G Law

Big business has told Secretary of Labor James Mitchell what he can do with the reports required by the Kennedy-Landrum-Griffin law, and has gone over Mitchell's head directly to the White House to escape punishment for violating the anti-labor law.

Employers are required under the K-L-G law to file information with the Department of Labor itemizing the amount of money spent for labor-management consultants in their efforts to influence collective bargaining negotiations. They must also report the amount of money spent to get information on union officials' and members' business. The deadline for filing these reports was March 30.

However, only a few companies have bothered to comply with the law that Mitchell is charged with administering. On the other hand, Mitchell promptly obtained detailed financial reports from over 50,000 unions.

The employers, according to reports, are defying the Kennedy-Landrum-Griffin law under assurances of the

National Association of Manufacturers, the U. S. Chamber of Commerce, the Association of American Railroads and similar organizations that they will be protected by the White House.

The Department of Labor recently published the employers' reporting forms, after refusing to water down the forms at the request of the business trade organizations. The Department held meetings with the big business groups on October 21, November 9, and December 15, without reaching agreement on the forms.

The NAM and the Chamber of Commerce, failing at the Department of Labor, went directly to the White House. The powerful Bureau of Budget took up the cudgel for the big business groups, and is providing them with immunity from prosecution.

An embarrassed Department of Labor contends that nobody has been hurt by big business' refusal to file reports. Assistant Secretary Gilhooly tells newsmen that reporting forms are receiving a "new study."



## Kennedy-Landrum-Griffin Law

### 'A Bill of Wrongs' — President Hoffa

**T**HE importance of every Teamster member in the United States being registered to vote was brought home to Minnesota Teamsters and their families by General President Hoffa at a giant political rally held in Minneapolis last month.

Speaking to some 3,000 Teamster families, Hoffa said, "it is necessary to protect the gains labor has made, and it is necessary to act politically to prevent the destruction of the labor movement in this country."

The political rally sponsored by the Political Education Committee of Joint Council 32, kicked off a membership drive for the political and legislative arm of the Minnesota Teamster Council. Membership will be based upon voluntary contributions of \$1 a year for each member. Proceeds of the drive will be spent on registration and get-out-the-vote campaigns, plus allocating funds for building a political unit in each ward. The Teamster Political Committee will also endorse and recommend candidates for Federal, State, county and city offices.

In his address, the Teamster President called for eliminating or amending the vicious Kennedy-Landrum-Griffin bill which he said "threatens the hard-won gains of every union member in the United States."

Hoffa told a cheering audience that "we expect to organize politically throughout the nation, block by block, community by community."

"It is a sorry situation," he commented, "when long-time friends of labor tell us they know the law is a bad law but they must vote for it because if they don't their newspapers back at home will knock their brains out."

Hoffa said that all presidential candidates are talking about foreign affairs while the American people are interested in a decent minimum wage, the plight of our aged and the problems automation is making upon the workers of America. The most unsuitable candidate for president, Hoffa said, "is Jack Kennedy, a son of a millionaire and a millionaire himself."

The Teamsters' chief executive called for employer groups to join with the International Union in ap-



Calling for Teamster political action throughout the United States, President Hoffa is shown here addressing some 3000 Teamster families in Minneapolis, Minn. From left are George O'Brien, Local 221; J. F. O'Hare, secretary of Jt. Council 32; Ted St. Peter, Vice President Gordon Conklin, Carl Keul, IBT General Organizer; Jack Jorgensen, president of the Council; Tony Schullo, Local 638, and Antonio Felicetta of Local 792. Hoffa won standing ovation.

pealing to the Supreme Court the attempt by certain Courts to deny the membership the right to choose their own officers.

"If the courts can do this to unions," he said, "they can do it to business firms, too."

Hoffa received a standing ovation when he closed his address by saying —"The Kennedy-Landrum-Griffin law is a fraud on the American people. It is a bill of wrongs. It has succeeded in breaking five major strikes since it was passed last September."

### Gibbons Will Visit Soviet Union

Teamster Executive Vice President Harold J. Gibbons and 10 AFL-CIO officials have accepted an invitation from the Russian government to make a comprehensive tour of the Soviet Union this summer.

Gibbons said last month that the group will visit four major Russian cities—Moscow, Tashkent, Leningrad and Kiev. Also on agenda are scheduled visits to London, Warsaw and Paris. The trip will begin July 2.

Three primary areas will be studied by the group, Gibbons said. They include the following:

- (1.) The relationship of trade unions to the Russian government.
- (2.) The degree of any trend toward liberalization, such as freedom of speech, press and religion, by the government.
- (3.) The extent of the desire for peace by the Russian people.

Gibbons said the group would make a written report on their experiences upon their return to the United States. The group hopes to present an overall picture of Russia today so that it can be contrasted to the past, and projected into the future.

Meantime, Joseph Curran, president of the National Maritime Union, announced that he would also tour Russia this summer. Curran said that he was not going as a member of the 11-man group, but would travel with another group.

Gibbons pointed out that each member of the group would pay individual expenses to Russia, but that the Russian government had requested that they be their guests while they are in Russia.

A joint announcement said that each member of the group was making the trip as an individual, and not as a representative of their union.



## Montgomery Ward Negotiations

# IBT Wins Pay Increases for Ward Employees



Teamsters' National Montgomery Ward Council is shown here in negotiations with Ward management.

**G**ENERAL President Hoffa disclosed this month that Montgomery Ward & Company voluntarily reopened its contract with the Teamsters' Union for wage talks despite the fact that the present labor agreement does not expire until June, 1963.

The management move, considered unusual in labor-management relations, was in response to a request for wage discussions made by the union nearly a year ago. A survey conducted by both the union and the company, in the interim, led to recent negotiations which saw Ward employees with additional pay increases above a general across-the-board wage increase of three-cents per hour called for under the existing agreement.

Some 9,000 of the 20,000 workers involved in the negotiations will receive substantial pay boosts over and above the general three-cents per hour increase. These increases will range from 19 to 24-cents per hour with some employees receiving more than the maximum and some less than the

minimum, based upon the company's nation-wide grade and merit system.

Commenting on the wage package which will cost the company an estimated \$3,000,000, President Hoffa said: "The present management at Montgomery Ward has shown a genuine interest in the welfare of their employees by voluntarily reopening the present contract for the purpose of wage discussions. I am indeed pleased with the outcome of the recent negotiations conducted by the Teamsters' National Montgomery Ward Council and feel that our labor relations with the mail order house will continue to be satisfactory."

Pay increases above the general three-cents per hour hike will affect Ward's mail order, warehouses and distribution centers in the following cities:

Oakland, Calif.; Los Angeles, Calif.; San Leandro, Calif.; Baltimore, Md.; Chicago, Ill.; Denver, Colo.; Ft. Worth, Texas; Portland, Ore.; Kansas City, Mo.; St. Paul, Minn.; Detroit, Mich.; and New York City.

Typical structure of the new additional increases over the basic wage raise in Montgomery Ward's mail order and other types of distribution centers is seen in the firm's San Leandro, California, unit in the following breakdown:

In the maintenance and repair scale the additional increase will range from 8½-cents per hour to 51½-cents per hour in job grades seven to thirteen. In job grades four to nine in the unit's paint factory, the pay hike will range from five cents per hour to 44-cents per hour.

The heavy scale (warehouse and shipping operation) covering job grades three to nine, the new increase ranges between 13½-cents per hour to 19½-cents per hour.

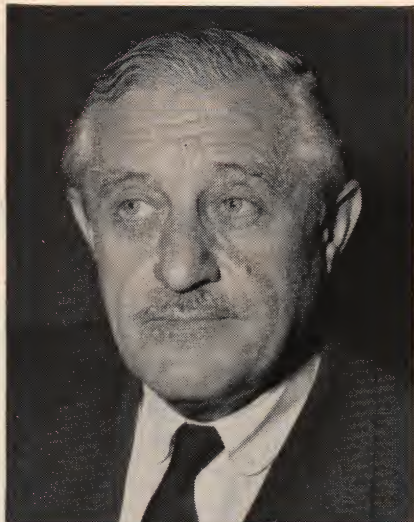
In job grades three to nine in the typing and stenographic scale the wage boost is 5½-cents per hour to 8½-cents per hour. Individual special rate jobs in job grades 3, 5, 9 and 10 range between 5½-cents per hour and 8½-cents per hour.

Regular scale covering job grades 1





**Don Peters**



**Sam Baron**

... played major roles in Ward negotiations.

through 13 calls for 3½-cents per hour to 8½-cents per hour.

The San Leandro picture illustrates the wage pact formula, showing the general across the board increase, the additional upgrades in pay, plus the explanation of some employees receiving more than the formula and some receiving less.

Don Peters, Chairman of the National Montgomery Ward Council, said that "I cannot put it too strongly how much we appreciate the reopen-

ing of this contract by Montgomery Ward management. It should be noted that the company took this step while it is in the midst of a costly expansion program."

Sam Baron, Field Director of the Teamsters' National Warehouse Division, who played a major role in the recent negotiations and settlement, asserted that "this is proof that the policy of forming a company-wide Council within the International Union to negotiate with Montgomery Ward

nationally, is a sound approach to the problems of its employees. The Teamsters' Council has applied itself well in improving the economic standard of Ward employees over the past six years. Present management at the giant mail order house is to be congratulated for its realistic thinking during our recent negotiations."

The general 3-cents per hour increase and all additional pay raises are effective as of June 1, 1960.

## IBT Members Win 'Button' Case

Teamster members have a right to wear their union buttons even if management objects. This was the opinion of the NLRB which decided a case in Kalamazoo, Michigan, when employer representatives of the Michigan Wineries, Inc. laid off a number of workers for wearing union buttons.

NLRB Chairman Leedom and Board members Bean and Fanning also directed that the company compensate workers for any loss of pay resulting from the lay off.

The Board further directed that the company cease interrogating employees on their union membership and forbid management to threaten or lay off workers in the future for wearing union pins.







## New Jersey Poultry Farmers Get Teamster Charter

**T**HE International Union's newest affiliate organization, the New Jersey Poultry Farmers' Union, Local 530, was formally installed last month in Vineland, New Jersey, by Joseph Konowe, Administrative Assistant to President Hoffa.

Over 500 family poultry farmers attended the ceremonies and heard Konowe call for State and Federal legislation to relieve the sub-standard economic conditions suffered by the poultrymen over the past three years.

"Legislation must be introduced in the next Congress to amend the Capper-Volstead Act," Konowe said, "to permit unions to bargain collectively for farmers."

He said that additional legislation on the state level was also necessary to bolster falling egg prices, and suggested that the proper authorities take a hard look at what he described as "apparent manipulation of prices" on the part of the big chain stores and Exchanges.

Cautioning the farm group not to expect overnight results, Konowe made it plain that they are looking

at a long range program that will produce results if New Jersey poultrymen help their union to help themselves.

"You must organize under one banner," he declared. "If you remain split up, as you are now and as you have been for many years, the goals you seek are all but impossible to reach. If you are sincere and determined to pull together, laying aside what internal differences you may have, you will reach these goals with the help of the Teamsters' Union."

On hand to welcome the new Teamster members into the International Union and Joint Council 53 was Vice President John Backhus, President of the Philadelphia Council.

Warmly received by the poultry farmers, the Teamster Vice President said that the organization of the poultrymen into the Teamsters "is essential to any progress or results concerning the problems faced by the poultry industry."

"There is very little we can do for you unless you give us the authority to represent you," Backhus said.

Installed as temporary officers until nominations and an election are scheduled were Thomas Leone, president; Dominic Rados, secretary-treasurer; Miriam Katz, vice-president; Richard Abate, recording secretary, and Albert Wolff, Charles Scheurer and Dante Parenti, trustees.

### At Your Service

Vineland's Mayor - elect, Albert Giampietro told members of Local 530 during the installation of the



Teamster charter that "if you have hope and faith, and if you believe in something, fight for it—I know."

The popular, outspoken Mayor offered the farmers his good offices for any aid or assistance he might be able to give to help the economy of the poultry industry. He said: "I am at your service if I can in any way help to bring back this glorious poultry industry."

From left below Vice President Backhus warmly welcomes family poultry farmers into IBT and Joint Council 53. Joseph Konowe, Administrative Assistant to President Hoffa, installed new Teamster charter for IBT's newest local, Local 530. At far right, Konowe and A. C. Contaldi, secretary of Local 866, meet with Local 530's executive board.





## Teamster Heroes Save Four Lives

Otto Jeschke, a member of Local 705 in Chicago, Ill., was credited last month with the saving of a motorists' life in a dramatic rescue near the heart of the big city.

Jeschke, who drives for the H. S. Davis, Inc., was passed by a car which went out of control and overturned in a water-filled ditch. The Teamster driver slammed on the brakes of his truck and scrambled down the bank to the wrecked car and found its passenger pinned under water by the debris.

"I couldn't see him," Jeschke relates, "so I felt under the water and found his coat sleeve. I pulled his head out from under the wreckage and held him above water for 25-minutes until firemen arrived and got the car off from his body."

### Semi-Conscious

The accident victim, Tom Lavelle of Dolton, Ill., was semi-conscious during the rescue period and escaped with only cuts and bruises.

Questioned about his act of heroism, Jeschke modestly said: "You always wonder what you'll do if something like that happens to you. But when it happens, you don't think or wonder much. You don't have time. You just do it."

Jeschke has been nominated by his company for the American Trucking Associations' "Driver of the Month" award.

### Reading Rescue

In Reading, Pa., George Fotias, a member of Teamster Local 429, saved the lives of three persons over the objections of an angry police dog. After fighting off the dog, Fotias, who drives for the General Baking Company, discovered Mrs. Mary Reinhart, one of his customers, and her son and daughter unconscious from the fumes of coal-gas.

He lifted Mrs. Reinhart, 81, onto a chair and revived her by breathing into her mouth. Then he notified the Fleetwood ambulance service which arrived on the scene promptly and administered aid. The elderly mother and her daughter were taken to the hospital. The son remained at home.

A doctor's report said that if Fotias hadn't found them all three would have died within another half-hour.

# Papers Report W

As the International Teamster went to press this month, Scripps-Howard newspapers were reporting allegations of voting irregularities in the state of West Virginia where Sen. John Kennedy, architect of the anti-labor Kennedy-Landrum-Griffin bill, won in the State's Democratic presidential primary over Senator Hubert Humphrey. The following is a series of articles which appeared in the Washington Daily News following Kennedy's surprise win over Senator Humphrey:

By ED KOTERBA

WASHINGTON — The man who was an election official in West Virginia, was explaining how they paid for votes down there.

"I'm inside the polling place, sitting at a table. A voter comes in and says he wants me to help him mark his ballot. I take him inside the booth, mark up the ballot and return it to him.

"Then he deposits it in the voting box and I slip him a token."

I asked the West Virginian, "What's a token?" and he explained:

"In this case it was a pack of matches with one of the matches broken in half."

What does the voter do with the token?

"Don't be naive," said the informer. "He takes it next door, or wherever they're paying for votes, and collects his \$3 or whatever the going rate is."

### Checks with Editors

By phone I checked with a number of West Virginia editors and was told that in some cases this past primary the going rate got as high as \$10.

"Isn't all this illegal—or at least highly irregular?" I asked one of them. He replied:

"It's customary down here, but I've never seen it so bad as this past election."

This vote-buying had aroused my curiosity, for practically every reporter who had covered the recent elections in West Virginia came back with reports of fantastic money-changing down there.

One fellow remarked:

"If the full story could be uncovered, there would be a Pulitzer Prize waiting for the reporter."

### Kennedy's 'Estimate'

This is so much more fascinating when one learns the official figures on the money spent in that election.

Senator John Kennedy, the victori-

ous candidate, states that he spent "\$50,000 or so" in advertising, and that probably his total "would be \$70,000."

The young man from Massachusetts, in virtually the same breath, told us that Vice President Richard Nixon, on the other hand, spent \$150,000 in Indiana.

At the same time, rumors kept flying that the money spent in the West Virginia primaries actually approached the million-dollar mark.

Justice Department officials have said they're keeping out of the West Virginia situation—"at the present time." However, at least one special grand jury investigation has already been called down there.

The investigation, centering around the coal region of Logan County, will be looking into "irregularities." Whether the grand jury will look into money-exchanging may not be determined until all the facts are in.

### Story from Indiana

This custom of paying for votes recalls the experience of former Governor Ralph F. Gates of Indiana.

Just before election day, a political boss from southern Indiana approached the governor and said he needed \$15,000 for vote buying.

"How much do you pay for votes?" Gates asked.

"We pay \$3 in the morning and \$2 in the afternoon," came the response.

"Why a dollar more in the morning?" asked Gates.

The man replied:

"Oh, that's to encourage early voting."

## Tell of Payoffs

By DICKSON PRESTON

LOGAN, W. VA., May 25—"I watched at the polls from 8 in the morning until 3 in the afternoon. What



# West Virginia Irregularities

I saw made me so sick I finally had to go home to bed."

The speaker was Sam Hatfield, 31, of the famous feudin' Hatfields. Mr. Hatfield, a six-footer wounded with the Marines in Korea, was talking about the May 10 primary election which has caused a state-wide controversy.

"I saw numerous people being paid off for their votes," Mr. Hatfield said. "I saw the money changing hands.

"The standard payoff appeared to be one-half pint of bourbon whisky and \$2 to \$5 in cash."

Mr. Hatfield, a Republican and a history teacher at Man High School—13 miles from Logan, is one of three citizens of Logan County who have a date in Washington June 6 to present vote fraud affidavits and a petition from nearly 1000 Logan countians asking Federal help in policing elections here.

## Democrats

The other two who will go to Washington are Democrats. They are Atty. Ned Grubb, 25, a West Virginia law school graduate, and Dr. Luke Combs, a young graduate of the University of Virginia at Charlottesville.

Mr. Hatfield, a part-time college political science major, visited six precincts in the Triadelphia area where Sen. John F. Kennedy was the "slated" candidate in the Democratic presidential primary over Sen. Hubert Humphrey. Here candidates on the "slate," which included local and state races, won handily. Sen. Kennedy carried all six districts by margins ranging from two to one to four to one.

But this was not the only Logan County district in which vote-buying was observed by watchers willing to tell what they saw.

Another teacher, Robert Wagner, of Logan Central Junior High School, also said he saw money being paid for votes at a polling place in a nearby grade school.

## Money and Paper

"People were getting money and pieces of paper," Wagner said. "The pieces of paper apparently were slates of candidates for whom they were pledged to vote. I know some of the persons who were passing the money and if there is a grand jury investigation I will name them."

Mr. Wagner, 22, and a college graduate, was a campaign worker for Claude Gore, Democratic candidate for sheriff who ran third in a five man field.

"It was an education to me," Mr. Wagner said. "There I was with 'Vote for Gore' cards and there they were with stacks of \$5 bills."

Mr. Grubb had this to say:

## Knows Identities

"At four different polling places, I saw men whom I can identify passing money. At three precincts I saw officials come either to the window or out of the door of the polling place to pass out information. At one polling place, the inside man—whom I knew—told me to warn a certain candidate's money handler he was 'getting his throat cut by the boys in the house.'"

One lady precinct worker who has lived in West Virginia 13 years said she was so "horrified" she refused to sign the tally sheet. As a result 80 ballots are under challenge.

She is Miss Twila Doult, 39, who came to Logan County in 1947. Since

then and until last February she had been a high school teacher in the Striker Fork area.

"Oh, brother," Miss Doult said. "I never saw anything like this in Pennsylvania."

Inside her polling place, Miss Doult said, other precinct workers insisted that West Virginia law gave them the right to "help" voters by casting their ballots for them.

## Code Bars Help

(Actually, the West Virginia code bars help for a voter unless his registration card shows him to be illiterate or blind. But in practice this law—like many other supposedly governing West Virginia election practices—is ignored.)

"When I tried to tell people they had a right to a secret ballot," Miss Doult said, "other election officials told me: 'you don't know anything about West Virginia because you weren't born here.'"

Miss Doult has been a precinct worker for 10 years. She is a Republican. This year, she said, is "the worst I've ever seen."

## Congressman Condemns Vote Frauds

By JACK STEELE

Rep. John M. Slack, Jr. (D., W. Va.), said today he had "no doubt" that the recent primary election in Logan County, West Virginia, was "unusually corrupt."

Rep. Slack, a freshman member of Congress whose district includes Logan County, confirmed that he had made arrangements for a group of indignant "citizens" from Logan to present a petition to the Justice Department asking for Federal action on the "vote frauds." He said June 6 had been set as the date.

Plans of Logan residents to present such a petition to Attorney General William P. Rogers was reported yesterday and today by Scripps-Howard reporter Dickson Preston.

Rep. Slack said he had advised his constituents, after talking with Justice Department officials, that they would have to produce evidence of substantial vote frauds which might have influenced the election of Federal officials in order to get a Federal investigation started.

Rep. Slack said he had heard that some election officials in Logan County used a new "gimmick" to accompany voters into the voting booths.

"They told voters the machines weren't working properly and they would have to go along to help pull the levers," he said, adding that people in Logan now called these election officials "Lever Brothers."





# Teamster Rally Attracts

"We are going to have to treat politicians like they treat us," Teamster President James R. Hoffa told a cheering throng of 14,000 members and their families who packed the Chicago Amphitheater to the rafters for a union rally that put strong emphasis on "grass roots" political action this election year.

President Hoffa drew shouts of approval from the overflow crowd when he hit hard at opponents of the Forand health bill who have tagged the measure "socialistic."

"If helping our older citizens get proper hospital and health care is socialistic, then we're for more socialism," the Teamster president declared.

Joint Council 25 staged the mammoth rally. A big turnout of around 12,000 had been expected but that mark was exceeded by some 2,000.

Joint Council President Ray Schoessling paid tribute to the organizers of the Chicago Teamsters "T.V.I.P." drive—"Teamster Volunteers in Politics." He commended T.V.I.P. Chairman Joseph Bernstein, Frank Gillespie

and others for their work in the voter education program.

Schoessling said the activities of the Joint Council and the International Union would be coordinated in precinct organization and voter education.

International Vice President John T. O'Brien, who had a major role in making arrangements for the giant rally, introduced General Secretary-Treasurer John F. English, who won a round of cheers and applause when he told the throng:

"I hope I have the privilege of again

Some 14,000 Teamster members and their families attended mass political rally in Chicago to hear General President Hoffa. From left are Vice President O'Rourke, President Hoffa, Vice President O'Brien and Ray Schoessling, President of Joint Council 25, which sponsored the rally. Hoffa called for immediate political action.

President Hoffa tells members, "We must treat politicians like they have treated us." Hoffa hit opponents of Forand measure.







Below is emblem of Chicago Teamsters' new political education program.



## 14,000 Members

nominating Jimmy Hoffa for president of this International Union . . . if and when we are allowed to have another convention."

In his remarks, President Hoffa stressed that business interests are out to gain control over both major political parties. Instead of concentrating

on top levels, he said, business is now seeking to take over at the "grass roots," with employees at the lower levels being instructed to pitch in at the precinct level.

The Teamster president told the Chicagoans "we must organize on the precinct level."



President Hoffa signs autographs at Chicago meeting.

## Big DRIVE Job In New York

The gigantic job of processing the names of 165,000 Teamsters and pin-pointing their location according to assembly and election districts is being pushed by Joint Council 16, New York City.

Scope of the New York City's DRIVE efforts can be estimated when it is pointed out that the borough of Manhattan alone has 1,000 election districts. There are 65 assembly districts in the five boroughs making up greater New York.

County chairmen, assembly and district leaders are to be named in the DRIVE program.

Nicholas Kisburg, named legislative representative by Joint Council President John O'Rourke, has announced a DRIVE office will be opened shortly in Room 1010 at 265 West 14th St.

When the 165,000 members have been classified according to location, the big job will begin of checking them against registration records.



## Precinct Work Pays Off: Teamster Wins Mayor's Post in Oklahoma Race

Organization and precinct work did the trick in Muskogee, Oklahoma, where, on April 5, a Teamster candidate for mayor defeated the incumbent who had held the post for four terms.

The call for Teamster action came last summer when the mayor and his administration used the city police to try to break a strike jointly carried on and supported by the union and the Central Labor Union in Muskogee.

The local unions in Muskogee buckled down to the political job to be done and started work right down at the grass roots precinct level. The result was that Teamster Lendall Bates is now the mayor of Muskogee! What's more, four city councilmen endorsed by organized labor were elected to office along with him.

Those city councilmen who were elected included Foster Cluck, a member of the Glaziers; Marvin Wolfe, member of a railway workers' union; Pat Butler, member of the Communications Workers of America, and Burl Hackler, member of the Brotherhood of Railway Trainmen.

The fireworks began when Teamsters or Teamsters' wives were nominated as chairmen and co-chairmen in eight precincts in Muskogee. These tested their mettle first in the race for state chairmanship of the Democratic Party. Through Teamster support, co-

ordinated with that of other unions, the fledgling political force was able to carry 69 out of 77 counties for State Democratic Chairman McGill who was opposed by a candidate named Malloy, who also aspires to be Oklahoma's governor. This latter hope, if not blasted, is considerably delayed by his failure to be elected state chairman of his party, thanks in large part to the militant action of Teamsters in Oklahoma!

When Lendall Bates went into the race, backed by the Teamsters and other organized labor, he carried with him on his slate a group of nine candidates for the city commission, five of which were members of various local unions in the area.

Following intensive political action in the precincts, the first election was held on March 12 and Bates led 1,086 votes over the other two candidates. The city charter provides that the two high men in the first election must then stand for election in a run-off election.

In the final election the Teamster candidate was decisively elected.

According to C. W. Jenkins, secretary-treasurer and business manager of Local 516, who is also chairman of the legislative committee, the resounding victory was a testimony to precinct organization and hard work by all those concerned.

## Meat Cutters' Head Praises Teamsters

During a recent trip to Seattle, Washington, T. J. Lloyd, President of the Amalgamated Meat Cutters & Butcher Workmen, called for the return of the Teamsters' Union to the AFL-CIO.

"We need the Teamsters back in the AFL-CIO," Lloyd declared, "they are an important part of the labor movement."

He said that his organization was among the 21 International unions which voted against the expulsion of the IBT in 1957 and that "we will do everything we can to assist the Teamsters with whom we have enjoyed the very best relations for many years."

In a later address in the Northwest, Lloyd reported that his organization has gained 20,000 members in the last two years, joining the Teamsters as being among the few unions which have shown a membership increase during this period.

## Local 208 Driver Wins Truck Meet

Bruce Pickens, a 30 year old member of Teamster Local 208 walked away with the sweepstakes trophy in the finals of the Southern California Truck Rodeo early last month.

Pickens, a pickup and delivery driver for Consolidated Freightways, drove a set of doubles through a difficult obstacle course in the record time of 1½ minutes to pile up a score of 275 points, the highest in all classifications.

The champion Teamster driver's victory was somewhat unusual since he does not pilot the 60 foot double units on his day-to-day job, but pulls a bobtail.

He explained his fabulous driving job modestly: "I always wanted to drive the big rigs and once in awhile I get the opportunity to pull them around the terminal where I work."

Proof that his championship style was not a one-time accident became evident when he was tied up in points with Edward Britton, a driver for Oregon-Nevada Freight Lines. With both men turning on the ability heat to break the tie, Pickens made 260 points on the second round. Britton dropped from 275 points to 230 points out of a possible 300.

This was the first truck rodeo contest Pickens had ever entered.

## Aide to New Monitor Named



Willard Douglas

William E. Bufalino has announced the appointment of Willard Douglas, who will soon graduate from Howard University Law School, as his Administrative Assistant.

Born in Amherst, Virginia, Douglas is a graduate of the Virginia Union University at Richmond where he received his Bachelor of Arts Degree. "His new duties will include administration of the many problems now facing the Teamster Board of Monitors," Monitor Bufalino said. Mr. Bufalino was recently sworn in as a Teamster Monitor by Federal Judge F. Dickinson Letts.



## Oregon Local Wins Over Clerks Assn.

A raid on Teamster jurisdiction in Klamath Falls, Oregon, by the Retail Clerks Assn. failed to convince Local 911 members who voted nearly three-to-one to remain under the Teamster banner.

In an NLRB election 62 grocery clerks voted for the Teamsters; 22 cast ballots for the RCIA and two voted no-union.

Lee Judd, secretary of Local 911, said that the service received by the membership involved in the election over the past 16-years from his organization "had much to do with the election results. Our people knew that Local 911 had negotiated just and liberal wages, hours and conditions of employment for them and their families, and they showed their confidence in our local at the polls."

"For the membership of Local 911 and for myself, I would like to express our deep appreciation to General President Hoffa who supplied financial and moral aid to our problem here with the RCIA. Without this help and counsel, the fight here would have been far tougher than it was," Judd declared.

Judd also expressed his appreciation to Tom Connor, secretary-treasurer of Local 853, who participated personally in the campaign as well as assigning a member of his staff to the area.

The Oregon secretary thanks Joint Council 37, Local 162 and other Oregon Teamster organizations which gave valuable aid and assistance to the drive.

## 500th Pensioner

Local 807 in New York passed another milestone in its pension program recently when Thomas Sharkey, a member of the local union for 33-years, retired under the union's plan as the 500th pensioner.

The New York Teamster organization is probably the first Teamster local to reach a total of 500 pensioners.

Sharkey received a certificate of award from the Pension trustees noting their satisfaction in providing him with a measure of security at retirement.

The local's pension program has paid out nearly \$1,000,000 in retirement benefits to its members.

## 'Credit Costs Money', Service Agency Tells Prospective Installment Buyers

People buying merchandise on the installment plan in California have the opportunity of consulting Helen Ewing Nelson, the State Consumer Counsel, who advises prospective buyers on interest and carrying charges.

Mrs. Nelson was appointed to her post by Governor Pat Brown, who established the office only last year. She made her report last month on the first six months of her operation.

"Most consumers are unaware of how much credit actually costs them," says Mrs. Nelson. "They are more concerned with their monthly payment than with the difference between the cash price and the credit price."

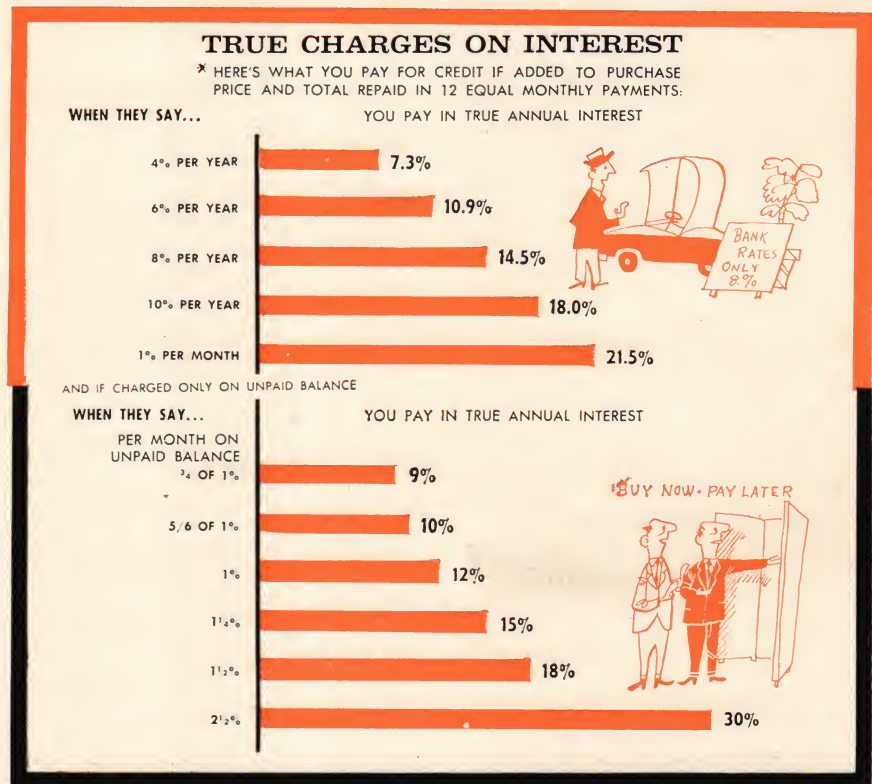
The Senate has before them at the present time a bill by Senator Paul Douglas of Illinois, which would force

money lenders and merchandisers to disclose the full cost of interest and financing charges on small loans and installment purchases.

The International Brotherhood of Teamsters is supporting the bill. It is opposed by business groups.

Mrs. Nelson explained that credit rates vary from store to store and from time to time. She advised consumers to shop for credit as carefully and comparatively as they would shop for a car, a washing machine or any other product.

To help consumers determine true credit charges, her office has issued a brochure called "Credit Costs Money—Know How Much It Costs You." The leaflet contains this handy guide to true credit costs:



## Canadian Local 40 Years Young

Local 514 in Edmonton, Alberta, in Canada recently celebrated its 40th year of dedication and service to the principles of organized labor. The organization, 40-years young, was chartered May 5, 1920.

Comments in the Edmonton Journal

held that the local union has contributed to growth of the community.

Commenting on his organization's 40th birthday, Charles White, secretary of the local, said, "We are holding our own. We are getting a little older and possibly a little wiser."



## Committee Approves Common Site Picketing; Awaits House

The House Labor Committee approved and forwarded for House action legislation to authorize common site picketing by building and trade unions.

The bill would amend existing law that has been interpreted by the U. S. Supreme Court and the National Labor Relations Board to mean that common site picketing is an illegal secondary boycott. The Supreme Court decision is known as *NLRB v. Denver Building and Construction Trades Council*. It was handed down in 1951.

The International Brotherhood of Teamsters has endorsed the legislation, and it is supported by organized labor as a whole. Opposition has come from the National Association of Manufacturers, the U. S. Chamber of Commerce, and other big business organizations.

President Eisenhower has twice urged Congress to pass legislation permitting common site picketing—

in 1954 and in 1958. Nonetheless, anti-labor Republicans like Congressmen Carroll Kearns of Pennsylvania and Robert Griffin of Michigan, co-author of the Kennedy-Landrum-Griffin law, strongly oppose the bill.

A majority of the Labor Committee pointed out that the Supreme Court ruling was based on a misconception of what Congress actually intended. They explained the need for common site picketing by the building and trades unions this way:

"The typical job in the construction industry is not carried forward by a single employer with different departments for different types of work as is the typical factory operation. Unlike in the single employer factory operation, there are numerous contractors on a single construction jobsite performing the different types of work required to complete the building or project.

"In a single employer factory operation, if a labor organization is engaged in a labor dispute with the factory operator in respect to a matter involving one of the departments of the factory, it can strike and picket the entire factory operation and cause a shutdown of all departments of the factory without becoming subject to the restrictions against secondary boycott activity.

"... Thus, while a union having a dispute with a factory operator concerning a single department can legally strike the entire factory with the objective of shutting down all departments, such is not the case on construction project where the different types of work are being performed by various employers rather than by a single employer."

The Senate Labor Committee approved legislation permitting common site picketing in 1954, but no final action was taken by Congress. Again last year Senate and House conferees adopted similar provisions but withdrew the provision for parliamentary reasons.

The House is expected to take favorable action on the bill late this month. The bill would then go to the Senate, and if approved by the Senate will be signed into law by President Eisenhower.

## What K-L-G Does To 'Speech Freedom'

How the Kennedy-Landrum-Griffin law robs union members of basic and traditional rights vital to effective trade union functions is being demonstrated in the area of picketing.

In Philadelphia, a Federal District Court has enjoined handbill distribution by members of the Retail, Wholesale and Department Store Union without ruling whether the handbilling amounted to "picketing" under Section 8(b)(7)(B) of the labor law.

The union questioned whether distribution of handbills in front of a shoe store chain in an effort to organize employees would constitute "picketing" in the sense of walking the pavement with placards.

### 'No Picketing'

The federal judge ruled that the law holds no organizational "picketing," regardless of how carried on, is not permissible within 12 months after a valid NLRB election.

The court said:

"In other words, even the 'best kind' of picketing, that is picketing of the type which would ordinarily be protected by the constitutional guarantee of freedom of speech, is prohibited for the duration of the 12 months following a valid election."

Or, in still other words, Commie sympathizers can picket the White House any time they want, but union members have to stay clear of an employer for 12 months after an NLRB vote.

## Long Time Pact Barred By K-L-G

Low-wage, substandard employers are "living it up" under the Kennedy - Landrum - Griffin law. Here's another case example:

Teamster Local Union 107 in Philadelphia long had had agreements with an employer trucking firm that preference would be given in leasing additional equipment to employers having Teamster contracts and that Local 107 members would get the job of operating the additional equipment.

The NLRB's general counsel has filed a complaint charging the agreement is illegal under K-L-G.

Thus, another weapon—beneficial both to employer and union member in meeting the competition of substandard employers—has been silenced.

But, a long court battle will be fought on this question.

## Wins Honors

Miss Barbara Hoffa, daughter of the IBT General President, won highest scholastic honors at Albion College, Albion, Mich., where she graduates this month.

Miss Hoffa was named to Phi Beta Kappa, renowned national honor society reserved for graduating students who excel in their college activities.

President Hoffa's son, Jim, Jr., is attending Michigan State University on a football scholarship, after winning all-state football honors as a high school senior. He is completing his freshman year at Michigan State.



# "Right-to-Work Laws and the Common Good"

by the Rev. Jerome L. Toner, O.S.B., Ph.D.  
President, Catholic Economic Association



*The following address was given by The Rev. Jerome L. Toner, O.S.B. Ph.D., President of the Catholic Economic Association, as his presidential address before a recent Convention of the organization.*

*Father Toner, who is the Dean of Industrial Relations at St. Martin's College in Olympia, Washington, presents a persuasive indictment of so-called "Right-to-Work" laws and the philosophy upon which they are based.*

*Considered to be the nation's leading scholar in the field of union security, Father Toner granted full permission to publish his article and said: "I am honored to have the International Teamster publish my Presidential Address."*

**"2B" OR NOT "2B"**, that was the question in the 1959 Steel strike, according to Edgar Kaiser. The question before the 1959 annual meeting of the Catholic Economic Association is **THE RIGHT TO WORK LAWS AND FREEDOM.**

## Right To Work (RTW) Law

There is no federal RTW law. The state RTW laws outlaw all forms of union-security clauses in collective-bargaining contracts which require membership in the union as a condition of employment in their intrastate and interstate commerce coming under the Taft-Hartley (T-H) law.

Section 14 (b) of the T-H law provides that "Nothing in this act shall be construed as authorizing the execution or application of agreements requiring *membership* in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territory law." The sons of Section 14 (b)—the RTW laws—and their implication and effects on the Common Good shall be the subjects about which I will make some comments.

The founding Father of the United States constitutionally ordained and established that, in order "... to promote the general welfare and secure the blessings of liberty for our-

selves and posterity," Congress alone "shall have the power . . . to regulate commerce . . . among the several States . . ." And yet Congress, by Section 14 (b) of the T-H law of 1947, curiously surrendered and ceded its power and duty to regulate interstate commerce to the several states by permitting them to outlaw union-security clauses in collective-bargaining contracts in interstate commerce within their states.

Confounding consistency, Congress partially retrieved its constitutional control over interstate commerce when, in 1951, it amended the Railway Labor Act. Then, whether moved by remorse or the necessity of reestablishing the supremacy of federal control over interstate commerce, Congress repealed the 1934-1951 RTW law section of the Railway Labor Act by making section 2 Eleventh say "... that notwithstanding the law of 'any state', a carrier and a labor organization may make an agreement requiring all employees within a stated time to become a *member* of the labor organization, provided there is no discrimination against any employee and provided that membership is not

denied or terminated 'for any reason other than the failure of the employee to tender the periodic dues, initiation fees, and assessments (not including fines and penalties) uniformly required as a condition of acquiring or retaining membership'."

Congress thus presented us with the perplexing problem of finding union-security clauses of collective-bargaining contracts legal and protected by the Railway Labor Act for interstate commerce in all the states and territories of the United States while that same union-security clause may be made illegal for T-H interstate commerce in any state or territory that has a RTW law.

With Cassius, we may rightly ask, "Upon what meat doth this our RTW law feed that it has grown so great?" RTW laws are, to be sure, positive man-made laws. Therefore, like all other federal or state statutes, they must fulfill the essential requirements and characteristics of all positive man-made laws. These laws must be (1) an ordinance or rule of reason (2) made for the common good (3) and promulgated (4) by one or several who are duly and legally authorized to make a law.

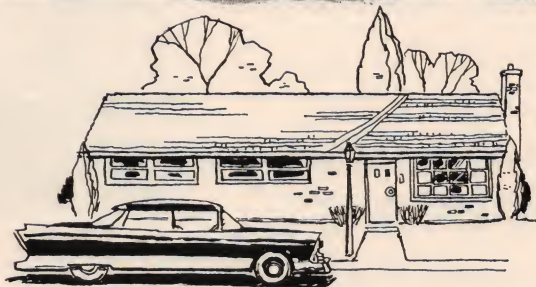
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The International Teamster presents this month the first of a two-part series on "The Right To Work Laws and the Common Good," based upon The Rev. Jerome L. Toner's presidential address before the Catholic Economic Association.

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# TAFT-HARTLEY ACT



T-H Threatens Union Family Security

The state RTW laws unquestionably fulfill the (3)rd and (4)th requirements of being promulgated by those duly and legally authorized to make a law. There is, however, abundant, strong and emotional disagreement as to whether or not the RTW laws are (1) ordinances or rules of reason (2) made for the common good.

The tests or criteria by which it is decided that a law is a (1) rule or ordinance of reason (2) made for the common good are to be found primarily (1) in its specific object or objects of the law and secondarily (2) in its effects and (3) made for circumstances under which it is made. We must therefore discover and evaluate the (1) specific object, (2) the effects and (3) the circumstances under which the RTW laws are made.

## Specific Object of the RTW Laws

The "RTW" is not the specific object of the RTW laws. The term "RTW" is, like its grandfather—the Open Shop—and its father—the American Plan—a name, slogan or banner used to attract, entice and captivate voters and supporters. The Attorney Generals of Idaho, California and Washington considered the term "RTW" so inappropriate that they would not permit it to be used on the initiative petitions or ballots for the RTW laws.

There is unanimous agreement between the pro- and anti-RTW law advocates that the RTW laws do not and cannot give anyone a statutory right-to-work in the sense that one has a right to obtain or retain any job or employment. Few there are who claim that anyone has a con-

stitutional right-to-work for any specific employer.

## Specific Object— Union Security Contracts

The primary, universal, and direct "specific object" of the RTW laws is, as Section 14 (b) of the T-H law indicates, to permit states to outlaw all "agreements requiring membership in a labor organization as a condition of employment." The Supreme Court of the United States, when passing on the constitutionality of state RTW laws, unequivocally declared, that the object of the RTW laws was "Precisely . . . (to) forbid employers acting alone or in concert with labor organizations deliberately to restrict employment to none but union members."

One of the most astute advocates and defenders of the RTW laws in the United States—attorney Jonathan C. Gibson, Vice-President of the Santa Fe Railroad—maintained that the object of the RTW laws is to outlaw the union security contracts. He said, "The laws restricting compulsory union membership agreements are commonly and quite adequately called right to work laws."

The constitutional or statutory provisions of the State RTW laws generally, among other things, contain a declaration of public policy and a substantive clause restricting union security clauses or contracts.

The preamble or public policy clause commonly states that "It is hereby declared to be the public policy of (the State) that the right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization."

The substantive clause of the RTW laws, wherein the specific object is incisively found, generally states "That it shall be unlawful for any person, firm, corporation or association of any kind to enter into any contract, combination or agreement, written or oral, providing for exclusion from employment of any person because of membership in, affiliation with, resignation from, or refusal to join or affiliate with any labor union or employee organization of any kind."

Thus we see that the chief and primary "specific object" of the RTW laws is, therefore, to outlaw union security contract which require *membership* in the union as a condition of employment. However, there are several other secondary but nevertheless substantial "specific objects." At least ten of the states' RTW laws outlaw the Agency Shop, a right not granted to them by Section 14 (b). Arkansas and Texas RTW laws give the individual non-union employee the right to bargain individually with his employer, a right that is contrary to the "exclusive bargaining principle" of the T-H law. This right is not granted to the States. Louisiana arrived at the same conclusion by judicial interpretation of its RTW law. And the Supreme Court of Georgia would find no protection under its RTW law for a union employee who was fired solely because he was a member of the union.

Most of the confusion concerning the RTW laws, it appears to me, comes from the fact that nearly all of the analysis and evaluation of the RTW laws is made about the possible, probable, alleged and assumed "effects" of the RTW laws rather than about the "specific object" of the RTW laws. If all laws must be judged primarily and chiefly by their "specific object" and only secondarily by their "effects," why should we reverse the order when analysing and evaluating the RTW laws? In fact, the "specific object" of the RTW laws has been almost lost in the emotional confusion created by the concentration of the "effects" of the RTW laws.

There is absolutely no doubt about the chief and primary "specific object" of the RTW laws. It is crystal clear that the universal substantive section of the RTW laws categorically condemns and outlaws union-security contracts that require *membership* in the union as a condition of employ-



ment. And this chief and primary "specific object" of the RTW laws deals solely and exclusively with the *collective-bargaining rights* of stockholders, management, employees and their legal representative—the union. As such, the "specific object" of the RTW laws does not deal with the individual rights of employees, employers or unions. It deals exclusively with the *collective-bargaining rights* of the parties to the contract.

Therefore, it is our task to see if outlawing union security contracts, which deprive stockholders, management employees and their legal representative—the union—of their right to make a mutually satisfactory union security contract, is a "rule or ordinance of reason made for the common good." This evaluation may be made by applying economic, juridical and moral principles to the specific object of the RTW law.

#### Economic Principles

In an analysis of the RTW laws under the principles of classical economics it is important to remember that the conflict of interest is not primarily between the right of the individual worker and the right of the union to limit his freedom. The conflict of interest is between the right of the individual worker and the collective bargaining rights of stockholder, management, employees and their legal representative—the union. The principles of classical economics frown on collective bargaining and favor the full freedom of the individual—employer and employee. However, under no principle of classical economics was the freedom of the individual worker to be superior to the freedom of the employer. An examination of the application of a few of the economic principles to the RTW laws should be enlightening.

Judged in the light of the regulatory functions of pure competition in the perfect market of Adam Smith's laissez-faire free enterprise system, the RTW laws must be condemned and repealed. For Adam Smith there was a "divine hand" and not a governmental RTW law to "guide each man in pursuing his own gain." This "divine hand," was, according to Smith, so powerful a principle, that it alone, and without any assistance, (was) not only capable of carrying on the society to wealth and prosperity, but of surmounting a hundred impertinent ob-

structions with which the folly of human laws too often incumbered its operations . . . (and) encroaches on its freedom or diminishes its security. For Adam Smith, and his law-of-supply-and-demand classical market mechanistic followers, "government (regulations) was superfluous except to preserve order and perform routine functions."

The economic principles of "freedom of choice" in our free enterprise system would also condemn the RTW laws because in that system the employer of labor is, according to Commons, ". . . a legal superior who has the legal right to issue commands (while the employee, who is) a legal inferior while the relations lasts, is bound by legal duty of obedience." How unrealistic it would be to maintain that the economic man's "free-

dom of choice" would or should permit him to dictate what wages, hours, or conditions of work the employer had to or could offer him?

The economic principles of "maximizing utilities" and "minimizing regrets" would certainly support the union-security contracts mutually made by stockholders thru management and employees thru their union. Hence these economic principles would also condemn the RTW laws. If the employer could set the terms of employment when dealing with the individual employment contract, *a fortiori*, he could set the terms thru the collective bargaining contract made with the legal representative or his employees—the union.

It is generally alleged that the RTW laws are necessary in order to preserve competition and to destroy the



Legalizing "Free Riders"



union's monopoly over the cost of labor. This allegation rests on two false assumptions. One, that the T-H law permits the closed shop by which labor can and does control the supply of labor. *Everyone knows that the T-H law has outlawed the closed shop.* Secondly, the monopoly of labor cost comes from the "exclusiveness" of the collective bargaining contract and not from the union-security contract. The "exclusiveness" of the collective bargaining contract monopoly cannot be removed by outlawing the specific object of the RTW laws—union security contracts. The monopoly of labor cost can and does exist when there is no union security contract.

The principles of economics are positively partial to the entrepreneur. In a clash between the freedom of the entrepreneur and the freedom of the individual worker the odds and outcome were never in doubt. Even the common good is classically identified with the good of the entrepreneur. Never was this partiality more epigrammatically expressed than when Wilson of General Motors reputedly said, "What is good for General Motors is good for the United States and what is not good for General Motors is not good for the United States."

#### Juridical Principles

The juridical principles of the United States concerning the RTW laws are far from clear and consistent. Both Congress and the Supreme Court have modified and changed their positions. The majority of the states—31—have no RTW laws. Twenty-three states have had RTW laws. Now only 19 states have RTW laws.

#### Legal Principles

Congress, following the declared "public policy" of the United States contained in both the Wagner and T-H law of "encouraging the practices and procedures of collective bargaining", permitted all forms of union security contracts under the Wagner Act.

In the post-war period of employer-public reaction towards labor, Congress modified its union-security attitude by outlawing the closed shop under the T-H law. But at the same time Congress categorically condemned the RTW law principles when it voted down the Ball-Byrd RTW law amendment to the T-H law.

Senator Taft, chairman of the Senate Labor Committee that heard



Imperils Free Collective Bargaining

more than 7,000 pages of testimony from management, labor and the public, led the Senate of the United States to defeat the Ball-Byrd RTW law amendment. After full and extended debate on the merits of the RTW law amendment, Senator Taft said:

We considered the arguments (of the RTW forces) very carefully in the committee and I myself came to the conclusion that since there had been for such a long time so many union shops in the United States, since in many trades it was entirely customary and had worked satisfactorily, I at least was not willing to go to the extent of abolishing the possibility of a union-shop contract. . . . I think it would be a mistake to go to the extent of absolutely outlawing a contract which provides for a union shop, requiring *all* employees to join the union, if that arrangement meets with the approval of the employer and meets with the approval of a majority of the employees and is embodied in a written contract."

#### Amendment Defeated

Following Senator Taft's philosophy and argument that "it would be a mistake to go to the extent of absolutely outlawing a contract which provides for a union shop requiring *all* employees to join the union", the

Senate defeated the Ball-Byrd RTW law amendment by a decisive vote of 57-21. The Senate also voted 68-24 for the modified version of the Taft bill which authorized employers and unions to make union shop contracts.

Paradoxically, the Senate-House Conference report amended the Senate bill by adding section 14 (b) which permitted the States to make what Senator Taft said would be a "mistake", of outlawing all types of union security contracts in interstate commerce within their boundaries. The conference report passed the Senate by a vote of 54-17.

#### Legalized for Rails

In 1951 Congress repealed the 1926-1951 RTW law section of the Railway Labor act. Then it authorized and legalized the union shop contract in interstate commerce in all states, even the RTW states. Congress said "that notwithstanding the law of 'any state', a carrier and a labor organization may make an agreement requiring *all* employees within a stated time to become a member of the labor organization . . .". Repealing the RTW law section of the Railway Labor Act and positively authorizing the execution of union-shop contracts, even in RTW states, would seem to indicate that the latest Congressional attitude of the United States is opposed to RTW laws.



## Dangerous Load Warning Issued

The nation's tank truck operators have been warned that they must "look beyond" Interstate Commerce Commission regulations in handling dangerous cargoes.

"If we are to plan our vehicle operations properly we should consider as dangerous any article which is likely to catch fire or rupture a vessel . . . or that will injure a person by burning or freezing him," declared Jack Kidder, safety director for the Rogers Cartage Company of Chicago, Illinois.

Kidder statements came at the annual meeting last month of the American Trucking Associations' Council of Safety Supervisors.

International Brotherhood of Teamsters' officials have commented on the lack of realism in many of the ICC's safety regulations. These officials are constantly working with rank and file Teamster members to eliminate hazardous working conditions, and to improve working conditions wherever the opportunity presents itself.

Kidder said that all tank truck operations do not involve dangerous articles. "It is especially true if we consider as dangerous only those articles which the ICC defines as dangerous. Fuel oil is not dangerous under ICC regulations, but it is regulated as a dangerous article in jurisdictions which have adopted the regulations of the National Fire Protection Association."

He said there are two initial steps to tank truck safety:

"First, we must determine if an article is dangerous because it might injure someone or damage property if it escaped from the tank. Second, we must determine if an article is dangerous under regulatory definitions . . . Many factors must be considered in determining danger. These include flammability, corrosiveness, high temperature, low temperature, pressure, reaction to materials used in tank or hose, poisonous nature, and possibility of chemical instability."

Tank truck fleet safety directors must also consider these other factors: density, cleanliness, method of loading and unloading, and types of hoses, pumps and tanks. He added that routing of trucks and driver training are likewise important.

## Eisenhower Vetoes Depressed Area Bill as 'Squander' of Public Funds

President Eisenhower, disregarding 4 million unemployed workers, vetoed the Depressed Areas bill before he left for Paris, stating that the bill would "squander the taxpayers' money."

The President's reason for vetoing the bill was directly opposite the views of Senator Joseph Clark of Pennsylvania, who was one of the bills original sponsors and strongest supporters.

Clark emphasized repeatedly on the Senate floor and elsewhere that the Depressed Areas legislation was "not an expenditure bill; it is an authorization bill," he declared. Authorization bills differ from expenditure bills in that only a program is authorized. No money is appropriated until evidence is submitted proving the need for appropriations.

The Depressed Areas bill would establish an Area Redevelopment Administration in the White House. It would be charged with assisting in industrial redevelopment of cities and rural communities where unemployment and underemployment was destroying the economy of the area.

The new agency would be authorized to make loans to communities, repayable with interest, for industrial redevelopment. Some grants would be provided for depressed areas which could not afford to repay loans, and authorizations would be provided for public works projects in the most seriously depressed areas.

Senator Clark pointed out that the Senate Special Committee on Unemployment "stated in no uncertain terms the need for this kind of legislation, a need which was found." . . . by both Republican and Democrat members of the Committee.

He quoted from the Committee's report, which he said was practically unanimous:

"Members of the Committee and its staff observed directly the suffering and distress of people in depressed areas and were deeply impressed with the need for immediate action. The committee therefore recommends that highest priority be given to the enactment into law in this session of an effective area redevelopment bill."

Unemployment is still a major

problem in the nation. The March unemployment figure was 4.2-million people, or 5.4% of the total work force. In 1958's serious recession the unemployment total ran to approximately 5.5 million.

This marks the second time that President Eisenhower has vetoed a Democratic - sponsored Depressed Areas bill. Two years ago, he vetoed a bill authorizing expenditures of \$379.5 million. That veto became an explosive political issue in the 1958 elections, and helped the Democrats score a landslide victory.

The new bill that the President vetoed authorized only \$251 million.

## Oregon Local Wins Dispute

An historic reactionary employer group in Oregon, the Cascade Employers Asso., suffered a stiff set back at the hands of the NLRB recently when the Board ruled that the association was guilty of unfair labor practices in cutting the wages of their employees and terminating the payments to the Teamsters' Pension and Health and Welfare funds.

Leading the attack against the association, headed up by Pat Blair, who has figured prominently in labor-management discord in this area, was Ward Graham, secretary of Local 324 in Salem, Oregon.

The dispute arose when the association made an across-the-board wage slash while in negotiations with the Teamster organization concerning a sand and gravel contract. At the same time the employer group cut off their contributions to the union's pension and health and welfare funds.

Graham immediately appealed to the Regional Board which handed down a decision charging the association with unfair labor practices. On appeal, the National Board sustained the ruling of the Regional Board and ordered and directed that the association resume bargaining in good faith with Local 324, and that the association pay back to employees the amount of pay that they had lost plus the reimbursement of all payments to the Teamsters' Pension and Health and Welfare funds.



## ICC Decision Faces Resistance From Nation's Motor Carriers

An Interstate Commerce Commission decision to allow freight forwarders to solicit volume shipments, using their own trailers on "piggyback" railroad cars in city-to-city transport, is expected to be met with stiff resistance from the nation's motor carriers.

### Brings Objection

The move, which will permit a new and previously unauthorized method of competition for motor carriers, brought the dissent of ICC Commissioner Laurence K. Walrath who objected to the granting of such broad rights to forwarders. Truck spokesmen predict that the decision will find its way into the courts with the motor carriers looking for a reversal.

Historically, freight forwarders have assumed the role of transportation

brokers in transmitting small shipments by rail or truck line, distributing them at ultimate destinations. The ICC's recent ruling breaks tradition and allows forwarders to propose rates on big-volume shipments moving on "piggyback" between cities. A flood of applications for approval of tariffs for volume rates across the country is expected.

### ATA Views

Meanwhile, the American Trucking Associations, although not a formal party in the case, takes strong issue with the use of "piggyback" service designed to duplicate motor carrier service without highway authority. ATA contends that the rails should only "piggyback" trailers belonging to truckers and private shippers.

## Hoffa Records Labor Lecture

Opinion Institute in Omaha, Nebraska, has added a 12-minute address by President James R. Hoffa to its nation-wide lecture and speaking service which brings experts in their fields to American classrooms, service clubs, church groups and civic organizations.

President Hoffa's address entitled "The Aims of Organized Labor Today" is available from Opinion Institute on a 33 1/3 r.p.m. record or a 3 3/4 i.p.s. tape. The price for either is \$7.50 with postage paid.

President Hoffa joins a host of distinguished political figures, educators, clergymen and social and business leaders including Vice President Nixon, Senator Stuart Symington, Congressman Richard Bowling, Jamie Whitten, Emanuel Celler, Dr. Benjamin Fine and others who have been record by OI.

Opinion Institute's general offices are at 224 Service Life Building, Omaha 2, Nebraska.

## Ballad of Jimmy Hoffa

MAKES HIT

WITH DRIVERS

Truck stops across the country that cater to the "smoke and flame" club whose members pilot the nation's freight from coast-to-coast, are besieged with requests these days for a new "platter" called the "Ballad of Jimmy Hoffa."

Written and scored by Walter Breeland, business representative for Local 968 and his close friend, Claude Gray, one of the nation's top country music singers, the disc is catching on with American truck drivers.

The record has been released by the Ol' Podner Record Company in Houston, Texas, and features the well known voice of Smokey Stover.

The ballad is Breeland's musical way of showing the public what the man-behind-the-wheel thinks of his General President. Said Breeland: "The idea of writing a song about Jimmy Hoffa seemed to Claude and me to be a good way of presenting the views of most every truck driver in America. From the response we have received from radio stations, union members and non-union members, I think we have been successful."

(The record, which markets for \$1, can be purchased by any Teamster member for 60 cents, or two records for \$1, by writing to: Ol' Podner Record Co., 8618 Anacortes St., Houston 17, Tex.)



## Traditional Pact Barred by K-L-G

Low-wage, substandard employers are "living it up" under the Kennedy-Landrum-Griffin law. Here's another case example:

Teamster Local Union 107 in Philadelphia long had had agreements with an employer trucking firm that preference would be given in leasing additional equipment to employers having Teamster contracts and that Local 107 members would get the job of operating the additional equipment.

The NLRB's general counsel has filed a complaint charging the agreement is illegal under K-L-G.

Thus, another weapon—beneficial both to employer and union member in meeting the competition of substandard employers—has been silenced.

But a long court battle will be fought on this question.

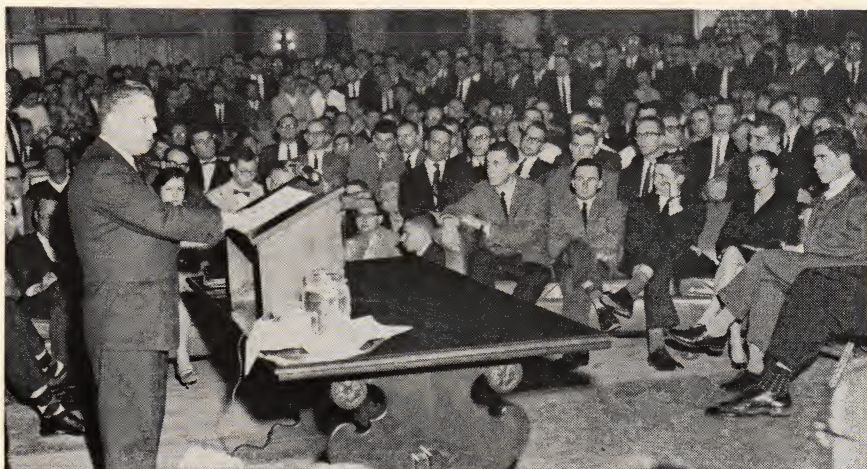


Two veteran Teamster members of Local 1096 in New York have teamed up their talents in a musical project which promises to bring them fame and perhaps fortune. Their first effort can be found on the Tee-Jay Record Co. label in two songs, "That's My Baby" and "Lonely." From left are Vito Sandomenico, Florence O'Dare, pretty vocalist; and Eddie Vercone.



Talented young pianist Ginny Tiu tells Vice President Gibbons of her career hopes in Anaheim, Calif., where she stole the show at the Western Conference's annual Cannery Council session. Vice President Gibbons was principal speaker at the Calif. meeting attended by representatives of 25 cannery local unions.

General President James R. Hoffa is shown speaking to a group of law students at the University of Michigan. He called their attention to the fact that labor should be treated with equity under the law. "In our free society no segment of it should be less protected than another," Hoffa told the law students.





# LAUGH LOAD



## All the Conveniences

A Texas rancher purchased a new Rolls Royce and, a few weeks later, brought the car in for servicing.

"Do you like it all right?" asked the salesman.

"Oh, it's fine. I especially like that glass partition between the front and back seats."

"You do?"

"Yeah, it keeps the cows from licking my neck when I'm taking them to stock shows."

## A Fair Exchange

"Look what I got for my wife," exclaimed Jones as he pointed with pride to a brand new convertible.

"You lucky dog," Smith said in envy. "Where did you make a trade like that?"

## Perfect Squelch

Terminal Manager: "This is the end. You're fired!"

City Driver: "Fired!? I allus thought slaves were sold."



## Had Enough

"Didja hear about our shop foreman? He was so flabbergasted when his wife had quadruplets that he ran out and bought a fifth!"

## Healthy

"Is this a healthy town?" inquired the home-seeker of a local resident.

"Yes, certainly," was the answer. "When I came here I hadn't the strength to utter a word; I had scarcely a hair on my head; I couldn't walk across the room, and I had to be lifted from my bed."

"You give me hope!" cried the home-seeker with enthusiasm. "How long have you lived here?"

"I was born here," replied the native.

## Party Line

At a recent political meeting a well-known Republican was speaking. He remarked that his method of obtaining votes for the Republican Party was to give every taxi driver a large tip, then tell him, "Vote Republican."

"I think my way is better," said a party colleague. "I give them no tip and tell them 'Vote Democratic'."

## True, True

Most people know how to say nothing—few know when.

## Coast is Clear

Did you hear the one about the carburetor specialist who had such a bad cold he could hardly whisper? Well, he went to the doctor's office late one night and knocked on the door and the doctor's wife answered.

"Is the doctor in?" he inquired in a barely audible whisper.

"No, he isn't," the wife answered, also in a whisper, "Come in."

## Right

A lawyer, pressing a rather reticent witness to define the degree of incapacity suffered by his client, asked, "Would you say he was intoxicated or under the influence of liquor?"

Wisely hedging, the witness answered, "I'd say he was both."

## Five Wives

"So you have a son in Hollywood? Does he ever come home to visit you?"

"Oh, yes. He's been home every summer for five years."

"Really! And did he bring his wife home with him each time?"

"He did—and five very smart girls they were, too."

## Magic

Mack: "Whatever happened to that pretty wife of yours you used to saw in half in your magic act?"

Jack: "Oh, she's living in Miami and Denver."

## Positively

To be positive is to be mistaken at the top of one's voice.—Bierce.



"... and Sen. Kennedy is unable to appear tonight because of the flu... one of the symptoms being cold feet...!"



# FIFTY YEARS AGO

in Our Magazine

(From Teamsters' Magazine, June, 1910)

## Tobin on Conventions

THE pros and cons of an annual convention were discussed in the June 1910 issue of our magazine by President Dan Tobin. The discussion was brought about because of the nearness of another IBT convention.

Previous to the last convention in 1908, the IBT held conventions every year. But at that convention it was agreed by a majority of the delegates to change the constitution to read "a convention every two years."

Today we hold our conventions every five years but the tendency among many unions is towards more frequent conventions. According to the "Directory of National and International Labor Unions in the United States," 23 of the 174 national and international unions listed in the Directory held no conventions or held them at 5-year intervals. The most common convention interval was 2 years, observed by two-fifths of the unions. About 1 out of 5 unions held conventions at intervals of 1 year or less.

These are the arguments presented by President Tobin for and against more frequent conventions.

"Besides saving considerable money for the local unions and for the International, it is impossible for the general officers of any organization to accomplish anything of material benefit if the constitution is only in existence one year. It would be much better if we had a good constitution and laws and leave them intact three years without a change, than to have a yearly convention with new men coming in each year and tearing up the work accomplished by the delegates at the preceding convention. In a yearly convention there is this danger that the officers elected are not much more than started in their work, then after a month or two they have to prepare for the coming convention, and usually it is more of a political fight from year end to year end than a fight to further the interest of the general organization. While this may not be true in all general organizations, it is unfortunately a fact regarding some labor organizations."

Now President Tobin presents some of the more apparent reasons for adopting shorter term conventions.

"It is sometimes dangerous to adopt a longer term convention than one year



or elect officers for more than one year, because of the danger of electing to office individuals that are not honest or who may prove untrue to the principles of the organization. However, a section in the constitution provides for the removal of any individual who is not working honestly in the interest of the rank and file, or a section embodying the power of recalling an officer would prevent a continuance in office of an individual who is dishonest. It is unfair to expect to carry out our constitution successfully and advocate and force policies under a yearly convention."

As you can see from President Tobin's statement, by virtue of the length and number of arguments on the "pro" side,



he was in favor of less frequent conventions. It appears that he seemed to favor a convention every three years, a compromise position to those favoring yearly conventions and those who wanted longer and longer intervals between conventions.

## To Our Brother's Aid

TWO famous labor cases made the news in 1910. One was the seamen's strike against the Lakes Carriers' Association and the other was the now famous Danbury Hatters' case.

The strike of seamen on the Great Lakes, involving several thousand sailors, marine firemen and marine cooks, was reported in the June, 1910 issue of our magazine.

The strike of the seamen evolved over a mass protest against the Lakes Carriers' Association which was, in effect, an employment agency. Every seaman who wanted work on the lakes had to register with this organization. When shipowners wanted a crew to handle their ships they went to the GLCA for the necessary manpower.

Here's how V. A. Olander, chairman, Lake District Grievance Committee, International Seamen's Union of America, described the situation:

"The shipowners who are members of this gigantic employment agency do not want to deal with any organization of seamen, neither do they want to deal with the individual seaman. What they are trying to do is to compel all seamen to live and work, ashore and afloat, always under the supervision and absolute control of overseers who are responsible to no one (not even to the individual shipowner) except the employment agency known as the Lake Carriers' Association."

The other big labor case in the news was the Danbury Hatters' Case. Litigation in this case ran over a period of 14 years from 1902-1916 until the courts decided against the United Hatters and awarded damages amounting to over a quarter of a million dollars to the D. E. Loewe Co. Organized labor closed ranks behind the beleaguered Hatters in a wonderful show of solidarity and helped them in their greatest hour of need. An item in this month's magazine (1910) reports that \$800 has been donated by our members and sent to the Hatters Fund.





**D**EMOCRATIC **R**EPUBLICAN **I**NDEPENDENT **V**OTER **E**DUICATION



**REGISTER AND VOTE**

INTERNATIONAL BROTHERHOOD OF TEAMSTERS